

EXHIBIT 8

BAKER BOTTS L.L.P.
John M. Taladay (*pro hac vice*)
Evan J. Werbel (*pro hac vice*)
Thomas E. Carter (*pro hac vice*)
Andrew L. Lucarelli (*pro hac vice*)
700 K Street, N.W.
Washington, D.C. 20001
(202)-639-7700
(202)-639-7890 (fax)
Email: john.taladay@bakerbotts.com
evan.werbel@bakerbotts.com
tom.carter@bakerbotts.com
drew.lucarelli@bakerbotts.com

Jonathan Shapiro (State Bar No. 257199)
101 California Street, Suite 3600
San Francisco, California 94111
(415) 291-6200
(415) 291-6300 (fax)
Email: jonathan.shapiro@bakerbotts.com

Attorneys for Defendants
IRICO GROUP CORP. and
IRICO DISPLAY DEVICES CO., LTD.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

Master File No. 07-cv-05944-JST
(N.D. Cal.)

MDL No. 1917

This Document Relates to:
ALL INDIRECT PURCHASER ACTIONS

**IRICO DEFENDANTS' OBJECTIONS
AND RESPONSES TO INDIRECT
PURCHASER PLAINTIFFS' FOURTH
SET OF INTERROGATORIES TO
IRICO GROUP CORPORATION AND
IRICO DISPLAY DEVICES CO., LTD.**

PROPOUNDING PARTY: Indirect Purchaser Plaintiffs
RESPONDING PARTIES: Irico Group Corporation
Irico Display Devices Co., Ltd.
SET NUMBER: Four

Pursuant to Federal Rules of Civil Procedure 26 and 33, Irico Group Corporation and Irico Display Devices Co, Ltd. (collectively, “Irico” or “Irico Defendants”) hereby provides these responses to the Indirect Purchaser Plaintiffs’ (“Plaintiffs”) Fourth Set of Interrogatories to Irico Group Corporation and Irico Display Devices Co., Ltd., dated December 14, 2021 (“Interrogatories”). Irico reserves the right to amend or supplement these Objections and Responses (the “Responses”) to the extent allowed by the Federal Rules of Civil Procedure and the Local Rules of Practice in Civil Proceedings before the United States District Court for the Northern District of California (“Local Rules”). Subject to and without waiving any of Irico’s General and Specific Objections as set forth below, Irico is willing to meet and confer with Plaintiffs regarding such General and Specific Objections.

The following Responses are made only for purposes of this case. The Responses are subject to all objections as to relevance, materiality and admissibility, and to any and all objections on any ground that would require exclusion of any response if it were introduced in court. All evidentiary objections and grounds are expressly reserved.

These Responses are subject to the provisions of the Stipulated Protective Order issued by the Court on June 18, 2008 (“Protective Order”). Irico’s Responses are hereby designated “Confidential” in accordance with the provisions of the Protective Order.

GENERAL OBJECTIONS

Irico makes the following General Objections to Plaintiffs’ Interrogatories:

1. Irico’s Responses are based upon information available to and located by Irico as of the date of service of these Responses. In responding to Plaintiffs’ Interrogatories, Irico states that it has conducted a diligent search, reasonable in scope, of those files and records in its possession, custody, or control believed to likely contain information responsive to Plaintiffs’ Interrogatories.

2. No express, incidental, or implied admissions are intended by these Responses and should not be read or construed as such.

3. Irico does not intend, and its Responses should not be construed as, an agreement or acquiescence with any characterization of fact, assumption, or conclusion of law contained in

1 or implied by the Requests.

2 4. Irico has made a good faith and reasonable attempt to ascertain whether
3 information responsive to Plaintiffs' Interrogatories exists and is properly producible, and has
4 produced or made available for examination non-privileged responsive materials located during
5 the course of that reasonable search.

6 5. To the extent that Irico refers to any pleading, expert report, or other filing in its
7 Specific Responses, Irico incorporates by reference all exhibits and/or evidence cited therein.

8 6. Irico objects to Plaintiffs' Interrogatories to the extent that they are overly broad,
9 unduly burdensome, oppressive, and duplicative to the extent that they seek information or
10 documents that are already in the possession, custody, or control of Plaintiffs.

11 7. Irico objects to Plaintiffs' Interrogatories to the extent that they seek to impose
12 obligations on Irico beyond those of the Federal Rules of Civil Procedure, the Local Rules, or any
13 Order of this Court.

14 8. Irico objects to Plaintiffs' Interrogatories to the extent that they request duplicative
15 discovery in violation of the Order Re Discovery And Case Management Protocol, ECF No.
16 1128. *See* Order Re Plaintiffs' Motions To Compel Supplemental Discovery From Toshiba And
17 Panasonic, ECF No. 4128, at 4 ("The Discovery Protocol (ECF No 1128), requires parties to
18 coordinate discovery and not file duplicative discovery. . . . The benefit redounds to all parties on
19 both sides of the litigation, by conserving the efforts required by Plaintiffs and protecting
20 defendants against unnecessary duplication of effort.") (Report and Recommendation adopted in
21 full at ECF No. 4256).

22 9. Irico objects to Plaintiffs' Interrogatories to the extent they seek information that is
23 not relevant or disproportionate to the needs of the case.

24 10. Irico objects to Plaintiffs' Interrogatories to the extent that they are vague,
25 ambiguous, or susceptible to more than one interpretation. Irico has attempted to construe such
26 vague or ambiguous Interrogatories so as to provide for the production of responsive information
27 that is proportionate to the needs of the case. If Plaintiffs subsequently asserts an interpretation of
28 any Interrogatory that differs from Irico's understanding, Irico reserves the right to supplement or

1 amend its Responses.

2 11. Irico objects to Plaintiffs' Interrogatories to the extent that they contain terms that
3 are insufficiently or imprecisely defined. Irico shall attempt to construe such vague or ambiguous
4 Interrogatories so as to provide for the production of responsive information that is proportionate
5 to the needs of the case.

6 12. Irico objects to Plaintiffs' Interrogatories to the extent that they seek information
7 that is protected from disclosure by the attorney-client privilege, work product doctrine, joint
8 defense or common interest privilege, self-evaluative privilege, or any other applicable privilege
9 or immunity. Irico provides only information that it believes to be non-privileged and otherwise
10 properly discoverable. Nothing in Irico's responses is intended nor should be construed as a
11 waiver of any such privilege or immunity. The inadvertent or mistaken provision of any
12 information or responsive documents subject to any such doctrine, privilege, protection or
13 immunity from production shall not constitute a general, inadvertent, implicit, subject-matter,
14 separate, independent or other waiver of such doctrine, privilege, protection or immunity from
15 production.

16 13. Irico objects to Plaintiffs' Interrogatories to the extent that they call for
17 information that is not in the possession, custody, or control of Irico. Irico also objects to the
18 extent that any of Plaintiffs' Interrogatories seek information from non-parties or third parties,
19 including but not limited to any of Irico's subsidiary or affiliated companies.

20 14. Irico objects to Plaintiffs' Interrogatories to the extent that responding would
21 require Irico to violate the privacy and/or confidentiality of a third party or confidentiality
22 agreement with a third party.

23 15. Irico objects to Plaintiffs' Interrogatories to the extent that they seek information
24 that is publicly available, already in Plaintiffs' possession, custody, or control, or more readily
25 available from other sources.

26 16. Irico objects to Plaintiffs' Interrogatories to the extent that they seek information
27 or documents concerning transactions outside the United States. Such Requests are unduly
28 burdensome and disproportionate to the needs of the case as Plaintiffs' class definition is confined

1 to “individuals and entities that indirectly purchased Cathode Ray Tube Products . . . in the United
2 States” (see Indirect Purchaser Plaintiffs’ Fifth Consolidated Amended Complaint (“Complaint”)
3 dated September 19, 2019).

4 17. Irico objects to Plaintiffs’ Interrogatories to the extent that compliance would
5 require Irico to violate the laws, regulations, procedures, or orders of a judicial or regulatory body
6 of foreign jurisdictions.

7 18. Irico’s responses pursuant to Plaintiffs’ Interrogatories should not be construed as
8 either (i) a waiver of any of Irico’s general or specific objections or (ii) an admission that such
9 information or documents are either relevant or admissible as evidence.

10 19. Irico objects to Plaintiffs’ Interrogatories to the extent that they are compound
11 and/or contain discrete subparts in violation of Federal Rule of Civil Procedure 33(a)(1).

12 20. Irico objects to Plaintiffs’ Interrogatories to the extent that they state and/or call for
13 legal conclusions.

14 21. Irico objects to the Interrogatories to the extent that they contain express or implied
15 assumptions of fact or law with respect to the matters at issue in this case.

16 22. Irico objects to the Interrogatories to the extent they seek information or
17 documents that cannot be removed or transmitted outside China without violating the laws and
18 regulations of that country, including but not limited to restrictions on the transmission of state
19 secrets or trade secrets as those terms are defined under Chinese law.

20 23. Irico objects to the Interrogatories to the extent that they are premature and/or
21 implicate expert analysis and disclosures. *See Young v. Regis Corp.*, No. C 10-02634 SI, 2011 WL
22 9558055 (N.D. Cal. May 19, 2011). Irico further objects to each Interrogatory to the extent that it:
23 (a) conflicts with obligations that are imposed by the Federal Rules of Civil Procedure, the Civil
24 Local Rules of this Court, and/or any other applicable rule; (b) seeks information that is the
25 subject of expert testimony; and/or (c) seeks information that is dependent on depositions and
26 documents of third-parties that have not been discovered.

27 24. Irico reserves the right to assert additional General and Specific Objections as
28 appropriate to supplement these Responses.

1 These General Objections apply to each Interrogatory as though restated in full in the
 2 responses thereto. The failure to mention any of the foregoing General Objections in the specific
 3 responses set forth below shall not be deemed as a waiver of such objections or limitations.

4 **GENERAL OBJECTIONS TO DEFINITIONS AND INSTRUCTIONS**

5 1. Irico objects to the definitions of “Including” and “Relating” (Definition No. 1) on
 6 the grounds that it calls for a legal conclusion and is otherwise vague, ambiguous, and overly
 7 broad. Irico further objects to this definition to the extent that it attempts to impose burdens on
 8 Irico beyond those imposed by the Federal Rules of Civil Procedure. Irico further objects to this
 9 definition to the extent that it seeks information protected by the attorney client or other
 10 applicable privilege, attorney work product doctrine, or otherwise seeks to violate rights of
 11 privacy under U.S. or foreign law.

12 2. Irico objects to the definitions of “You,” “Your,” and “Irico” (Definition No. 2) to
 13 the extent that Plaintiffs defines those terms to include the Irico’s “present and former members,
 14 officers, agents, employees, and all other persons acting or purporting to act on their behalf,
 15 including all present and former members, officers, agents, employees, and all other persons
 16 exercising or purporting to exercise discretion, making policy, and make decisions.” This
 17 definition is overbroad, unduly burdensome, vague, and ambiguous. In particular, Irico objects to
 18 this definition to the extent it purports to request information beyond the possession, custody, or
 19 control of Irico Group or Irico Display, including but not limited to information in the possession
 20 of non-parties and third parties where Irico lacks any duty to obtain or otherwise search for the
 21 information and for whom the Court lacks personal jurisdiction. Irico also objects to the inclusion
 22 of all “present or former employees, officers, directors, agents . . . or any other person acting on
 23 [the] behalf [of]” Irico within this definition to the extent it purports to encompass information
 24 that is protected by attorney-client privilege, work product protection or any other applicable
 25 doctrine, privilege, protection or immunity or otherwise calls for a legal conclusion.

26 3. Irico objects to the definition of “Identify” (Definition No. 3) on the grounds that
 27 the definition is overly broad, unduly burdensome, and seeks information that is neither relevant
 28 nor proportionate to the needs of the case.

1 4. Irico objects to the definition of “Document” (Definition No. 5) to the extent it
2 seeks to impose requirements that are beyond those imposed by the Federal Rules of Civil
3 Procedure, the Local Rules, any Order of this Court, or any other applicable laws.

4 5. Irico objects to the definition of “CRT” (Definition No. 6) on the grounds that it is
5 vague, ambiguous and overly broad.

6 6. Irico objects to Instruction No. 1 (related to disclosure of additional information) to
7 the extent it purports to impose burdens or obligations broader than, inconsistent with, or not
8 authorized under the Federal Rules of Civil Procedure, including, without limiting the generality
9 of the foregoing, Rule 26(e).

10 7. Irico objects to Instruction No. 2 (related to production of business records) to the
11 extent that it purports to impose burdens or obligations broader than, inconsistent with, or not
12 authorized under the Federal Rules of Civil Procedure, including, without limiting the generality
13 of the foregoing, Rule 33(d), Rule 26(b). Irco further objects to this Instruction to the extent that
14 it purports to impose burdens or obligations broader than, inconsistent with, or not authorized
15 under, the Local Rules and any Orders of the Court.

16 8. Irico objects to Instruction No. 3 (related to privileged information) to the extent
17 that it purports to impose burdens or obligations broader than, inconsistent with, or not authorized
18 under the Federal Rules of Civil Procedure, including, without limiting the generality of the
19 foregoing, Rule 33(d), Rule 26(b)(5)(A) and Rule 26(e)(1). Irco further objects to this Instruction
20 to the extent that it purports to impose burdens or obligations broader than, inconsistent with, or
21 not authorized under, the Local Rules and any Orders of the Court, and on the grounds that it is
22 vague, ambiguous, and inconsistent with common usage. Irco further objects to this Instruction to
23 the extent it seeks information that would disclose personal confidential information and/or
24 violate any and all rights of privacy under the United States Constitution or Article I of the
25 Constitution of the State of California, or any other applicable law or state constitution, or that is
26 otherwise prohibited from disclosure because to do so would cause Irco to violate legal and/or
27 contractual obligations to any other persons or entities.
28

SPECIFIC RESPONSES TO INTERROGATORIES

INTERROGATORY NO. 1

Identify all individuals or Departments within Irico that used or maintained each of the following email addresses during the Relevant Period:

A. jingyuan@irico.com.cn

B. Jill-yy@163.com

C. yliang6699@163.com

D. yliang@hotmail.com

E. yliang@irico.com.cn

F. pqwang@irico.com.cn

G. xsgsyxb@ch.com.cn

H. yht@ch.com.cn

I. yj-xs@ch.com.cn

J. ryz@ch.com.cn

K. zhangjing@ch.com.cn

L. fanxj@ch.com.cn

M. rggao@irico.com.cn

N. xjhao@irico.com.cn

O. ly-xs@ch.com.cn

P. lg@chyg.com

Q. shatao@irico.com.cn

R. lumimate@public.xa.sn.cn

S. sxl-xs@ch.com.cn

T. shs-xs@ch.com.cn

U. Is7071@sina.com

V. hywen@irico.com.cn

W. dqxing@ch.com.cn

X. hdyang@irico.com.cn

1 Y. wjp7858@sina.com

2 Z. zhsw@ch.com.cn

3 AA. ZLM-XS@ch.com.cn

4 BB. chks@chinairico.com

5 CC. zcf@ch.com.cn

6 **RESPONSE TO INTERROGATORY NO. 1**

7 In addition to Irco's General Objections, which Irco incorporates by reference, Irco
8 specifically objects to this Interrogatory on the grounds that it is overbroad, unduly burdensome,
9 not proportional to the needs of the case, and seeks information that is maintained by and equally
10 available to Plaintiffs or stated in publicly available documents. Irco objects to this Interrogatory
11 on the grounds that it calls for a legal conclusion. Irco objects that the terms "used" or
12 "maintained" is vague and ambiguous, rendering this Interrogatory overbroad, unduly
13 burdensome, and not proportionate to the needs of the case.

14 Subject to and without waiving the foregoing objections, Irco responds as follows:

15 **INTERROGATORY NO. 1A**

16 This email address was not used by an Irco employee during the course of their
17 employment with Irco, nor was the email domain "@irico.com.cn" maintained by Irco during
18 the Relevant Period. Irco understands that this email domain (@irico.com.cn) was used by
19 another company, China National Electronics Import & Export Caihong Co. ("CNEIECC").

20 **INTERROGATORY NO. 1B**

21 This email address, which was not issued or managed by Irco, appears to have been used
22 by Liang Yuan.

23 **INTERROGATORY NO. 1C**

24 This email address, which was not issued or managed by Irco, appears to have been used
25 by Liang Yuan.

26 **INTERROGATORY NO. 1D**

27 This email address, which was not issued or managed by Irco, appears to have been used
28 by Liang Yuan.

1 INTERROGATORY NO. 1E

2 This email address was not used by an Irico employee during the course of their
3 employment with Irico, nor was the email domain “@irico.com.cn” maintained by Irico during
4 the Relevant Period. Irico understands that this email domain (@irico.com.cn) was used by
5 another company, China National Electronics Import & Export Caihong Co. (“CNEIECC”).

6 INTERROGATORY NO. 1F

7 This email address was not used by an Irico employee during the course of their
8 employment with Irico, nor was the email domain “@irico.com.cn” maintained by Irico during
9 the Relevant Period. Irico understands that this email domain (@irico.com.cn) was used by
10 another company, China National Electronics Import & Export Caihong Co. (“CNEIECC”).

11 INTERROGATORY NO. 1G

12 After conducting a reasonable search, Irico acknowledges that it issued and maintained
13 email addresses with the “@ch.com.cn” domain, however Irico cannot identify a specific Irico
14 employee who used this email address during the Relevant Period.

15 INTERROGATORY NO. 1H

16 After conducting a reasonable search, Irico acknowledges that it issued and maintained
17 email addresses with the “@ch.com.cn” domain, however Irico cannot identify a specific Irico
18 employee who used this email address during the Relevant Period.

19 INTERROGATORY NO. 1I

20 This email address was used by Yao Jun.

21 INTERROGATORY NO. 1J

22 After conducting a reasonable search, Irico acknowledges that it issued and maintained
23 email addresses with the “@ch.com.cn” domain, however Irico cannot identify a specific Irico
24 employee who used this email address during the Relevant Period.

25 INTERROGATORY NO. 1K

26 After conducting a reasonable search, Irico acknowledges that it issued and maintained
27 email addresses with the “@ch.com.cn” domain, however Irico cannot identify a specific Irico
28 employee who used this email address during the Relevant Period.

1 INTERROGATORY NO. 1L

2 After conducting a reasonable search, Irico acknowledges that it issued and maintained
3 email addresses with the “@ch.com.cn” domain, however Irico cannot identify a specific Irico
4 employee who used this email address during the Relevant Period.

5 INTERROGATORY NO. 1M

6 This email address was not used by an Irico employee during the course of their
7 employment with Irico, nor was the email domain “@irico.com.cn” maintained by Irico during
8 the Relevant Period. Irico understands that this email domain (@irico.com.cn) was used by
9 another company, China National Electronics Import & Export Caihong Co. (“CNEIECC”).

10 INTERROGATORY NO. 1N

11 This email address was not used by an Irico employee during the course of their
12 employment with Irico, nor was the email domain “@irico.com.cn” maintained by Irico during
13 the Relevant Period. Irico understands that this email domain (@irico.com.cn) was used by
14 another company, China National Electronics Import & Export Caihong Co. (“CNEIECC”).

15 INTERROGATORY NO. 1O

16 This email address was used by Liang Yuan.

17 INTERROGATORY NO. 1P

18 This email address, which was not issued or managed by Irico, appears to be associated
19 Kunshan Caihong Yingguang Electronics Co., Ltd. Irico does not have additional detail regarding
20 that company’s use of this email address or who within the company used the email address.

21 INTERROGATORY NO. 1Q

22 This email address was not used by an Irico employee during the course of their
23 employment with Irico, nor was the email domain “@irico.com.cn” maintained by Irico during
24 the Relevant Period. Irico understands that this email domain (@irico.com.cn) was used by
25 another company, China National Electronics Import & Export Caihong Co. (“CNEIECC”).

26 INTERROGATORY NO. 1R

27 This email address, which was not issued or managed by Irico, appears to be associated
28 with Shaanxi IRICO Phosphor Material Co. Ltd. Irico does not have additional detail regarding

1 that company's use of this email address or who within the company used the email address.

2 INTERROGATORY NO. 1S

3 This email address was used by Shen Xiaolin.

4 INTERROGATORY NO. 1T

5 After conducting a reasonable search, Irico acknowledges that it issued and maintained
6 email addresses with the "@ch.com.cn" domain, however Irico cannot identify a specific Irico
7 employee who used this email address during the Relevant Period.

8 INTERROGATORY NO. 1U

9 After conducting a reasonable search, Irico cannot determine whether this address was
10 used by an Irico employee during the Relevant Period. This email domain was not maintained by
11 Irico, who issued and maintained email addresses with the "@ch.com.cn" domain.

12 INTERROGATORY NO. 1V

13 This email address was not used by an Irico employee during the course of their
14 employment with Irico, nor was the email domain "@irico.com.cn" maintained by Irico during
15 the Relevant Period. Irico understands that this email domain (@irico.com.cn) was used by
16 another company, China National Electronics Import & Export Caihong Co. ("CNEIECC").

17 INTERROGATORY NO. 1W

18 This email address was used by Xing Daoqin.

19 INTERROGATORY NO. 1X

20 This email address was not used by an Irico employee during the course of their
21 employment with Irico, nor was the email domain "@irico.com.cn" maintained by Irico during
22 the Relevant Period. Irico understands that this email domain (@irico.com.cn) was used by
23 another company, China National Electronics Import & Export Caihong Co. ("CNEIECC").

24 INTERROGATORY NO. 1Y

25 After conducting a reasonable search, Irico cannot determine whether this address was
26 used by an Irico employee during the Relevant Period. This email domain was not maintained by
27 Irico, who issued and maintained email addresses with the "@ch.com.cn" domain.

28 INTERROGATORY NO. 1Z

1 This email address was used by Zhang Shaowen.

2 INTERROGATORY NO. 1AA

3 After conducting a reasonable search, Irico acknowledges that it issued and maintained
4 email addresses with the “@ch.com.cn” domain, however Irico cannot identify a specific Irico
5 employee who used this email address during the Relevant Period.

6 INTERROGATORY NO. 1BB

7 After conducting a reasonable search, Irico cannot determine whether this address was
8 used by an Irico employee during the Relevant Period. This email domain was not maintained by
9 Irico, who issued and maintained email addresses with the “@ch.com.cn” domain.

10 INTERROGATORY NO. 1CC

11 This email address was used by Zou Changfu.

12 INTERROGATORY NO. 2

13 Identify all email addresses used or maintained by Irico employees during the Relevant
14 Period that are not set forth in Interrogatory No. 1 above.

15 RESPONSE TO INTERROGATORY NO. 2

16 In addition to Irico’s General Objections, which Irico incorporates by reference, Irico
17 specifically objects to this Interrogatory on the grounds that it is overbroad, unduly burdensome,
18 not proportional to the needs of the case, and seeks information that is maintained by and equally
19 available to Plaintiffs or stated in publicly available documents. Irico objects to this Interrogatory
20 on the grounds that it calls for a legal conclusion. Irico objects that the terms “used” and
21 “maintained” are vague and ambiguous, rendering this Interrogatory overbroad, unduly
22 burdensome, and not proportionate to the needs of the case.

23 Subject to and without waiving the foregoing objections, Irico responds that it does not
24 maintain a comprehensive list of email addresses used or maintained by Irico employees during
25 the Relevant Period in the normal course of its business. Irico further responds that its
26 departments or employees used email addresses with the domain @ch.com.cn during the Relevant
27 Period. For addresses assigned to individual employees, the email address typically consisted of
28 parts of the first and last name of the employee.

1 Irico has been able to identify the following email addresses that were used or maintained
 2 by Irico employees during the Relevant Period that are not set forth in Interrogatory No. 1 above:
 3 antx@ch.com.cn; bjtbgs@ch.com.cn; blbgs@ch.com.cn; chl@ch.com.cn; chltb@ch.com.cn;
 4 chrdbs@ch.com.cn; chtw@ch.com.cn; chuntao@ch.com.cn; chuxh@ch.com.cn;
 5 chxning@ch.com.cn; chyy@ch.com.cn; cq-bgs@ch.com.cn; crgs@ch.com.cn; cwc@ch.com.cn;
 6 cwccpl@ch.com.cn; cwyh@ch.com.cn; dlcbgs@ch.com.cn; dongj@ch.com.cn;
 7 dongzf@ch.com.cn; dwxcb@ch.com.cn; dwzzb@ch.com.cn; Dzqbgs@ch.com.cn;
 8 fdcsyb@ch.com.cn; fmq@ch.com.cn; fzghb@ch.com.cn; gcgs@ch.com.cn; gechao@ch.com.cn;
 9 gfbgs@ch.com.cn; gfoffice@ch.com.cn; gfzjb@ch.com.cn; ghsbw@ch.com.cn; gmq@ch.com.cn;
 10 hansheng@ch.com.cn; hrj@ch.com.cn; jcma@ch.com.cn; jtbgs@ch.com.cn; jtfls@ch.com.cn;
 11 jtqzb@ch.com.cn; jtjszx@ch.com.cn; ksbgs@ch.com.cn; lgm@ch.com.cn; limiao@ch.com.cn;
 12 liuxi@ch.com.cn; liuyw@ch.com.cn; lsbgs@ch.com.cn; lsk@ch.com.cn; luhb@ch.com.cn;
 13 lwd@ch.com.cn; nanying@ch.com.cn; office@ch.com.cn; pj@ch.com.cn; psg@ch.com.cn;
 14 pxzx@ch.com.cn; qdf@ch.com.cn; rggao@ch.com.cn; rjc@ch.com.cn; rsnn@ch.com.cn;
 15 scbgs@ch.com.cn; sjb@ch.com.cn; stock@ch.com.cn; sungzh@ch.com.cn; sxh@ch.com.cn; sxl-
 16 xs@ch.com.cn; szhybgs@ch.com.cn; taokui@ch.com.cn; tlj@ch.com.cn; tohaobo@ch.com.cn;
 17 txh@ch.com.cn; wanglm@ch.com.cn; wangxf@ch.com.cn; wbcbs@ch.com.cn;
 18 weixj@ch.com.cn; wjp@ch.com.cn; wxm@ch.com.cn; wyq@ch.com.cn; wzbgs@ch.com.cn;
 19 wzj-xs@ch.com.cn; yanyunlong@ch.com.cn; yczgw@ch.com.cn; Ygf_bgs@ch.com.cn;
 20 yws@ch.com.cn; yzl@ch.com.cn; zccwc@ch.com.cn; zcgac@ch.com.cn; zcgh@ch.com.cn;
 21 zcjcc@ch.com.cn; zcn@ch.com.cn; zhangw@ch.com.cn; zhc@ch.com.cn; zhczbgs@ch.com.cn;
 22 zlbbs@ch.com.cn; and Zx.office@ch.com.cn.

23 **INTERROGATORY NO. 3**

24 State the date that You retained Pillsbury Withrop Shaw & Pittman, LLP (“Pillsbury”) to
 25 represent You in this case.

26 **RESPONSE TO INTERROGATORY NO. 3**

27 Irico incorporates its General Objections as set forth above. Irico further objects to the
 28 Interrogatory to the extent that it purports to seek information protected under the attorney-client

1 privilege or the attorney work product doctrine.

2 Subject to and without waiving the foregoing objections, Irico responds that it retained
3 Pillsbury to represent Irico in this case on or about January 24, 2008.

4 **INTERROGATORY NO. 4**

5 Identify all Persons who communicated with Pillsbury attorneys on Your behalf regarding
6 this case after You were served with the IPPs' complaint on December 25, 2007.

7 **RESPONSE TO INTERROGATORY NO. 4**

8 Irico incorporates its General Objections as set forth above. Irico further objects to the
9 Interrogatory to the extent that it purports to seek information protected under the attorney-client
10 privilege or the attorney work product doctrine.

11 Subject to and without waiving the foregoing objections, Irico identifies the following
12 individuals who communicated with Pillsbury attorneys on Irico's behalf regarding this case after
13 Irico was served with the IPPs' complaint on December 25, 2007: Yan Yunlong.

14 **INTERROGATORY NO. 5**

15 State whether any of Your communications with Pillsbury attorneys regarding this case
16 were in writing, and if so, whether those Documents have been preserved. If any such
17 communications have not been preserved:

- 18 a. Identify each Person or document custodian whose communications with Pillsbury
19 were destroyed, discarded, erased, deleted, purged or lost;
- 20 b. State the date on which each responsive document was destroyed, discarded,
21 erased, deleted, purged or lost;
- 22 c. Identify each person or document custodian who had any role or responsibility in
23 destroying, discarding, erasing, purging, deleting, or losing of each such document
24 or information; and
- 25 d. Describe in detail the circumstances under which each such document was
26 destroyed, discarded, erased, deleted, purged, or lost.

27 **RESPONSE TO INTERROGATORY NO. 5**

28 Irico incorporates its General Objections as set forth above. Irico further objects to the

1 Interrogatory to the extent that it purports to seek information protected under the attorney-client
2 privilege or the attorney work product doctrine.

3 Subject to and without waiving the foregoing objections, Irico responds that it did
4 occasionally communicate with Pillsbury Winthrop Shaw & Pittman, LLP in writing and that, to
5 the best of its knowledge, those documents have been preserved either in Irico's files or in the
6 files of counsel.

7 **INTERROGATORY NO. 6**

8 State whether You consulted with Your former counsel, Pillsbury Withrop Shaw &
9 Pittman, LLP ("Pillsbury"), in determining to preserve only "documents related to sales of CRTs
10 to the United States" in mid-2008?

11 **RESPONSE TO INTERROGATORY NO. 6**

12 Irico incorporates its General Objections as set forth above. Irico further objects to the
13 Interrogatory to the extent that it purports to seek information protected under the attorney-client
14 privilege or the attorney work product doctrine.

15 Subject to and without waiving the foregoing objections, Irico responds that it consulted
16 with its former counsel, Pillsbury Winthrop Shaw & Pittman, LLP, regarding document
17 preservation, but not on the specific decision in determining to preserve only documents related to
18 sales of CRTs to the United States in mid-2008.

19 **INTERROGATORY NO. 7**

20 As to each of the Defenses set forth in Your Answers to IPPs' Fifth Consolidated
21 Complaint (ECF Nos. 5873, 5875):

- 22 a. State all facts that You rely on to support Your contention;
- 23 b. Identify each Person You contend has knowledge of facts that support Your
24 contention; and
- 25 c. Identify each Document You contend supports Your contention

26 **RESPONSE TO INTERROGATORY NO. 7**

27 In addition to Irico's General Objections, which Irico incorporates by reference, Irico
28 specifically objects to this Interrogatory on the grounds that it is overbroad, unduly burdensome,

1 not proportional to the needs of the case, and seeks information that is maintained by and equally
 2 available to Plaintiffs or stated in publicly available documents. Irico objects to this Interrogatory
 3 on the grounds that it calls for a legal conclusion. Irico objects that the term “support” is vague
 4 and ambiguous, rendering this Interrogatory overbroad, unduly burdensome, and not
 5 proportionate to the needs of the case. Irico also objects to this Interrogatory on the grounds that it
 6 contains impermissible subparts as Irico has identified forty-one defenses in its Answer to the
 7 Plaintiffs’ Complaint. Irico also objects to this Interrogatory to the extent it improperly tries to
 8 shift the evidentiary burden that Plaintiffs alone carry to Irico. Irico further objects to Plaintiffs’
 9 Interrogatories to the extent that they request duplicative discovery in violation of the Order Re
 10 Discovery And Case Management Protocol, ECF No. 1128. *See* Order Re Plaintiffs’ Motions To
 11 Compel Supplemental Discovery From Toshiba And Panasonic, ECF No. 4128, at 4 (“The
 12 Discovery Protocol (ECF No 1128), requires parties to coordinate discovery and not file
 13 duplicative discovery. . . . The benefit redounds to all parties on both sides of the litigation, by
 14 conserving the efforts required by Plaintiffs and protecting defendants against unnecessary
 15 duplication of effort.”) (Report and Recommendation adopted in full at ECF No. 4256). Plaintiffs’
 16 request is duplicative, in part or in whole, of the following discovery requests: Interrogatory No. 7
 17 of Indirect Purchaser Plaintiffs’ First Set of Interrogatories; Interrogatory Nos. 17-20 of Direct
 18 Purchaser Plaintiffs’ First Set of Interrogatories; and, Interrogatory Nos. 16-23 of Direct
 19 Purchaser Plaintiffs Arch Electronics, Inc.’s First Set of Interrogatories to Irico Group
 20 Corporation and Irico Display Devices Co., Ltd.

21 Subject to and without waiving the foregoing objections, Irico responds as follows:

22 **INTERROGATORY RESPONSE AS TO IRICO’S FIRST DEFENSE**

23 The Complaint fails to state a claim upon which relief can be granted.

24 **RESPONSE**

25 Subject to and without waiving the objections stated above, and based on its present
 26 knowledge, Irico responds by stating that Irico withdraws its First Defense.
 27
 28

1 **INTERROGATORY RESPONSE AS TO IRICO’S SECOND DEFENSE**

2 Plaintiffs’ claims for any foreign purchases, if any, should be dismissed to the extent that
3 they are barred, in whole or in part, because Plaintiffs have failed to allege facts sufficient to
4 support a claim under the Foreign Trade Antitrust Improvements Act, 15 U.S.C. § 6a.

5 **RESPONSE**

6 Irico further objects that this Interrogatory is premature given that no Irico witnesses have
7 been deposed relating to merits issues and expert analysis and disclosures have not yet begun. *See*
8 *Young v. Regis Corp.*, No. C 10-02634 SI, 2011 WL 9558055 (N.D. Cal. May 19, 2011). Irico
9 also objects to this interrogatory on the ground that it calls for a legal argument or legal
10 conclusion. Irico further objects to this interrogatory to the extent that it improperly tries to shift
11 the pleading and evidentiary burden that Plaintiffs alone carry to Irico.

12 Subject to and without waiving the objections stated above, Irico contends that Plaintiffs
13 have failed to allege facts sufficient to support a claim under the Foreign Trade Antitrust
14 Improvements Act (“FTAIA”), 15 U.S.C. § 6a. At all relevant times, the North American CRT
15 market was unique and separate from other foreign markets, including China. In supporting its
16 claims, Plaintiffs rely on alleged meetings and communications that occurred outside the United
17 States that discuss and relate to CRTs sold outside the United States. Plaintiffs have not
18 established how it is entitled to any relief under FTAIA based on their purchases of either CRT
19 products outside of the United States or their purchase of CRT products containing CRTs
20 manufactured and/or purchased outside the United States. Irico also identifies the following
21 evidence under FRCP 33(d): Irico Group Corporation’s Amended Motion to Dismiss Claims of
22 Indirect Purchaser Plaintiffs for Lack of Subject Matter Jurisdiction (Fed. R. Civ. P. 12(b)(1)),
23 March 19, 2019; Irico Display Devices Co., Ltd.’s Amended Motion to Dismiss Claims of
24 Indirect Purchaser Plaintiffs for Lack of Subject Matter Jurisdiction (Fed. R. Civ. P. 12(b)(1)),
25 March 19, 2019; Irico Defendants’ Reply in Support of Amended Motions to Dismiss Claims of
26 Indirect Purchaser Plaintiffs for Lack of Subject Matter Jurisdiction (Fed. R. Civ. P. 12(b)(1)),
27 May 13, 2019.
28

INTERROGATORY RESPONSE AS TO IRICO'S THIRD DEFENSE

Plaintiffs' claims and the claims of any putative class members are barred, in whole or in part, because the alleged conduct of [Group or Display] that is the subject of the Complaint either occurred outside the jurisdiction of the Court or was neither directed to nor affected persons, entities, trade or commerce in the United States, or both.

RESPONSE

Irico further objects that this Interrogatory is premature given that no Irico witnesses have been deposed relating to merits issues and expert analysis and disclosures have not yet begun. *See Young v. Regis Corp.*, No. C 10-02634 SI, 2011 WL 9558055 (N.D. Cal. May 19, 2011). Irico also objects to this interrogatory on the ground that it calls for a legal argument or legal conclusion. Irico further objects to this interrogatory to the extent that it improperly tries to shift the pleading and evidentiary burden that Plaintiffs alone carry to Irico.

Subject to and without waiving the objections stated above, and despite the Interrogatory's demand for proof of facts and evidence of events that did not take place, Irico asserts no evidence has been brought in the above captioned matter that indicates that Irico manufactured, sold, or distributed CRTs in the United States during the class period. In particular, Irico will be producing compilations of its sales records that demonstrate that Irico did not sell CRTs to the United States. Irico also identifies the following evidence under FRCP 33(d): Direct Purchaser Plaintiffs' Supplemental Objections and Responses to Defendants Irico Group Corp. and Irico Display Devices Co., Ltd.'s First Set of Interrogatories to Direct Purchaser Plaintiffs, July 14, 2021; Irico Defendants' Sixth Supplemental Objections and Responses to Direct Purchaser Plaintiffs' First Set of Interrogatories, January 7, 2022; Irico Defendants' Third Supplemental Objections and Responses to Indirect Purchaser Plaintiffs' First Set of Interrogatories, January 7, 2022; Irico Defendants' Supplemental Objections and Responses to Indirect Purchaser Plaintiffs' Third Set of Interrogatories to Irico Group Corporation and Irico Display Devices Co., Ltd., January 21, 2022; Rule 30(b)(6) Deposition of Irico Group Corp. and Irico Display Devices Co., Ltd., March 6-8, 2019.

Irico identifies the following persons with knowledge regarding this Interrogatory: Wang

1 Zhaojie and Su Xiaohua.

2 **INTERROGATORY RESPONSE AS TO IRICO'S FOURTH DEFENSE**

3 Plaintiffs' claims should be dismissed for uncertainty and vagueness and because their
4 claims are ambiguous, and/or unintelligible. [Group or Display] avers that Plaintiffs' claims do
5 not describe the events or legal theories with sufficient particularity to permit [Group or Display]
6 to ascertain what other defenses may exist. [Group or Display] therefore reserves the right to
7 amend its Answer to assert additional defenses and/or supplement, alter, or change its Answer
8 and/or defenses upon the discovery of more definitive facts upon the completion of its
9 investigation and discovery.

10 **RESPONSE**

11 Irico further objects to this interrogatory on the ground that it calls for a legal argument or
12 legal conclusion.

13 Subject to and without waiving the objections stated above, Irico contends that Plaintiffs'
14 Complaint names the following entities under the title "Irico:" Irico Group Corporation, Irico
15 Display Devices Co., Ltd., and Irico Group Electronics Co., Ltd. Despite naming these three
16 corporate entities, Plaintiffs throughout their complaint make allegations against "Irico" that
17 purportedly refer to all three corporate entities collectively. For example, Plaintiffs make
18 allegations in its Complaint that use the term "Irico" in the following paragraphs: 2, 150, and 185.
19 Plaintiffs attempt to use a single term to refer to one, several, or all of the "Irico Entities" makes
20 every such instance ambiguous and unintelligible regarding any specific allegation for Irico
21 Group's or Irico Display's conduct.

22 **INTERROGATORY RESPONSE AS TO IRICO'S FIFTH DEFENSE**

23 Plaintiffs' claims should be dismissed to the extent that they are barred, in whole or in
24 part, because Plaintiffs have failed to allege fraud or fraudulent concealment with sufficient
25 particularity.

26 **RESPONSE**

27 Irico further objects to this interrogatory on the ground that it calls for a legal argument or
28 legal conclusion. Irico also objects to this interrogatory to the extent that it improperly tries to

1 shift the pleading and evidentiary burden that Plaintiffs alone carry to Irico.

2 Subject to and without waiving the objections stated above, and based on its present
3 knowledge, Irico responds by stating that Irico withdraws its Fifth Defense.

4 **INTERROGATORY RESPONSE AS TO IRICO'S SIXTH DEFENSE**

5 Plaintiffs' claims should be dismissed to the extent that they are barred, in whole or in
6 part, because Plaintiffs have failed to allege conspiracy with sufficient particularity.

7 **RESPONSE**

8 Irico further objects to this interrogatory on the ground that it calls for a legal argument or
9 legal conclusion. Irico also objects to this interrogatory to the extent that it improperly tries to
10 shift the pleading and evidentiary burden that Plaintiffs alone carry to Irico.

11 Subject to and without waiving the objections stated above, and based on its present
12 knowledge, Irico responds by stating that Irico withdraws its Sixth Defense.

13 **INTERROGATORY RESPONSE AS TO IRICO'S SEVENTH DEFENSE**

14 Plaintiffs' claims should be dismissed to the extent that they are barred, in whole or in part,
15 by the applicable statute(s) of limitations.

16 **RESPONSE**

17 Subject to and without waiving the objections stated above, and based on its present
18 knowledge, Irico responds by stating that it affirms its prior response. *See* Irico Defendants'
19 Second Supplemental Objections and Responses to Indirect Purchaser Plaintiffs' First Set of
20 Interrogatories, June 25, 2021.

21 **INTERROGATORY RESPONSE AS TO IRICO'S EIGHTH DEFENSE**

22 Plaintiffs' claims and the claims of any putative class members are barred, in whole or in
23 part, because the actions or practices of [Group or Display] that are the subject of the Complaint
24 were undertaken unilaterally for legitimate business reasons and in pursuit of [Group or
25 Display]'s independent interests and those of its customers, and were not the product of any
26 contract, combination or conspiracy between Group and any other person or entity.

27 **RESPONSE**

1 Irico further objects that this Interrogatory is premature given that no Irico witnesses have
 2 been deposed relating to merits issues and expert analysis and disclosures have not yet begun. *See*
 3 *Young v. Regis Corp.*, No. C 10-02634 SI, 2011 WL 9558055 (N.D. Cal. May 19, 2011). Irico
 4 also objects to this interrogatory on the ground that it calls for a legal argument or legal
 5 conclusion.

6 Subject to and without waiving the objections stated above, Irico contends that its acts or
 7 practices were undertaken unilaterally for legitimate business reasons and in pursuit of Irico's
 8 independent interests. In addition, Irico asserts no evidence has been brought in the above
 9 captioned matter that indicates that its actions were not undertaken unilaterally for legitimate
 10 business reasons and in pursuit of Irico's independent interests. Pursuant to Rule 33(d) of the
 11 Federal Rules of Civil Procedure, Irico relies on the following evidence to support its contention
 12 that at all times its acts or practices were undertaken unilaterally for legitimate business reasons
 13 and in pursuit of Irico's independent interests: Reply Brief of Irico In Support of Motion to Set
 14 Aside Default at 10-11, ECF No. 5229; Exs. A – F to the Declaration of Stuart C. Plunkett in
 15 Support of Motion to Set Aside Default, ECF Nos. 5229-02 through -07; IRI-CRT-00010133;
 16 IRI-CRT-00010449; IRI-CRT-00010468; IRI-CRT-00026812; IRI-CRT-00030226; IRI-CRT-
 17 00030865; IRI-CRT-00031457; BMCC-CRT000002761; BMCC-CRT000002762;
 18 CHU00029175E; CHU00029179E; CHU00029259E; CHU00030067E; CHU00030777E;
 19 CHU00030941E; CHU00030973E; CHU00031018E; CHU00031032; CHU00031044E; and,
 20 CHU00031070E.

21 Irico further contends that Irico's pricing-related conduct was compelled by the Chinese
 22 government and based on duly enacted laws and/or regulations of the People's Republic of China.
 23 Irico relies on the following evidence to support this contention:

- 24 • The State Planning Commission and the State Economic and Trade Commission
 25 issued the "Regulations on Preventing Unfair Price Behavior of Low-Priced
 26 Dumping of Industrial Products" – effective as of Nov. 25, 1998. *See* Ex. A to the
 27 Declaration of Stuart C. Plunkett in Support of Motion to Set Aside Default, ECF
 28 No. 5229-02.

- 1 • Notice of the State Planning Commission on Issuing the "Measures for the
2 Determination of the Cost of Dumping Industrial Products at Low Prices (for Trial
3 Implementation)" – effective as of March 1, 1999. *See*
4 <https://law.lawtime.cn/d448076453170.html>.
- 5 • Notice of the State Planning Commission and the Ministry of Information Industry
6 on the Trial Measures to Stop Unfair Price Competition of Color Picture Tubes and
7 Color TVs – effective as of April 1, 1999. *See* IRI-CRT-00031457 at 1460-64; Ex.
8 B to the Declaration of Stuart C. Plunkett in Support of Motion to Set Aside
9 Default, ECF No. 5229-03.
- 10 • Notice on submitting cost information of color TV and color tube industry issued
11 by the Ministry of Information Industry in 1999. *See* Ex. D to the Declaration of
12 Stuart C. Plunkett in Support of Motion to Set Aside Default, ECF No. 5229-05.
- 13 • Notice on the issuance of the average production cost of some types of color
14 picture tubes and color TV industries issued by the Ministry of Information
15 Industry on April 2, 1999. *See* IRI-CRT-00031457 at 1459-60, 1466-67; Ex. C to
16 the Declaration of Stuart C. Plunkett in Support of Motion to Set Aside Default,
17 ECF No. 5229-04.
- 18 • Notice on the issuance of the average production cost of certain types of color TV
19 industries issued by the Ministry of Information Industry on August 25, 2000. *See*
20 Ex. E to the Declaration of Stuart C. Plunkett in Support of Motion to Set Aside
21 Default, ECF No. 5229-06.
- 22 • Notice on the issuance of the average production cost of some industries of color
23 picture tubes issued by the Ministry of Information Industry on September 14,
24 2000. *See* Ex. F to the Declaration of Stuart C. Plunkett in Support of Motion to
25 Set Aside Default, ECF No. 5229-07.

26 Irico identifies the following employees as having knowledge regarding this Interrogatory:
27 Wang Zhaojie and Su Xiaohua.
28

1 **INTERROGATORY RESPONSE AS TO IRICO’S NINTH DEFENSE**

2 Plaintiffs’ claims and claims of any putative class members are barred, in whole or in part,
3 because Plaintiffs and/or certain members of the putative classes have failed to allege “antitrust
4 injury” – i.e., injury that is of the type the antitrust laws were intended to remedy.

5 **RESPONSE**

6 Irico further objects that this Interrogatory is premature given that no Irico witnesses have
7 been deposed relating to merits issues and expert analysis and disclosures have not yet begun. *See*
8 *Young v. Regis Corp.*, No. C 10-02634 SI, 2011 WL 9558055 (N.D. Cal. May 19, 2011). Irico
9 also objects to this interrogatory on the ground that it calls for a legal argument or legal
10 conclusion. Irico further objects to this interrogatory to the extent that it improperly tries to shift
11 the pleading and evidentiary burden that Plaintiffs alone carry to Irico.

12 Subject to and without waiving the objections stated above, Irico asserts that Plaintiffs
13 have not established facts that demonstrate that they were actually or proximately injured by
14 reason of any act or omission by Irico. Irico further states that Plaintiffs were not actually or
15 proximately injured by reason of any act or omission by Irico because Irico did not conspire or
16 enter into any agreements regarding the price of CRTs in the United States market, and did not
17 violate any of the laws set forth in the Plaintiffs’ Amended Complaint.

18 Irico states that because Plaintiffs seek to recover for purchases of CRT products as
19 indirect purchasers, Plaintiffs have failed to meet their burden of demonstrating they were injured
20 in a way that the antitrust laws were enacted to prevent. The Ninth Circuit has established that in
21 the absence of a direct relationship with the defendants, a Plaintiffs must be a participant in the
22 allegedly restrained market in order to have suffered “antitrust injury.” *See Am. Ad. Mgmt., Inc. v.*
23 *General Tel. Co.*, 190 F.3d 1051, 1057 (9th Cir. 1999) (“Antitrust injury requires the Plaintiffs to
24 have suffered its injury in the market where competition is being restrained. Parties whose
25 injuries, though flowing from that which makes the defendant’s conduct unlawful, are
26 experienced in another market do not suffer antitrust injury”); see also *Assoc. Gen. Contractors of*
27 *Cal. v. Cal. State Council of Carpenters (“AGC”)*, 549 U.S. 519, 538 (1983) (antitrust laws are
28 designed to “protect[] the economic freedom of participants in the relevant market”).

1 Additionally, Irico states that Plaintiffs have not come forward with a reliable
2 methodology to prove the existence of the amount, if any, of pass-through injury to all members
3 of the class. Although not limited to the following, Irico relies on the information contained in the
4 Expert Report of Janusz A. Ordover, Ph.D., August 5, 2014 (IPP Action) at 14-36, and the Expert
5 Report of Janusz A. Ordover, Ph.D., August 5, 2014 (Various DAP Actions) at 14-30.

6 Irico further states that various retailers have testified that they did not uniformly pass
7 through any price increases in CRT Products to consumers. This evidence further establishes that
8 Plaintiffs have not and cannot show which members, if any, of the indirect purchaser class have
9 suffered any alleged injury. Although not limited to the following, Irico relies on the following
10 information: Deposition Tr. of Brian Stone, Dec. 3, 2012 (“Stone Dep. Tr.”), at 117:4-22 (“Cost
11 increases that a manufacturer is intending to push across may not be reflected in the overall
12 pricing for the end consumer based upon Best Buy’s company’s strategy, intent of that product
13 category, the product availability, and the overall competitive nature of the . . . space.”); id. at
14 167:21-169:1 (“There could be instances where due to competitive pricing forces costs could go
15 up, but retail pricing may not be able to go up based upon in-country availability of products,
16 competitive forces, seasonality.”); Rule 30(b)(6) Deposition of Office Depot July 24, 2014
17 (“Office Depot 30(b)(6) Dep. Tr.”), at 147:16-148:7 (“[W]e will look at the market, we will look
18 at what’s in the market, look at the competitive intelligence of what people are carrying, what
19 they are selling production for, what’s in our current assortment, what we’re charging for that, and
20 in most cases you cannot increase and pass, the customers just won’t buy it because it will be
21 overpriced.”); Rule 30(b)(6) Deposition Tr. of Interbond Corp. of America, d/b/a Brandsmart
22 USA (through witness Larry Sinewitz), Feb. 6, 2014 (“Interbond 30(b)(6) Dep. Tr.”), at 287:13-
23 20; Deposition Tr. of Aimee Fields, June 4, 2014 (“Fields Dep. Tr.”), at 125:12-126:3; Rule
24 30(b)(6) Deposition Tr. of Fry’s Electronics (through witness Raj Seth) (rough transcript), Aug.
25 27, 2014 (“Fry’s 30(b)(6) Dep. Tr.”), at 182:6-184:10; Rule 30(b)(6) Deposition Tr. of
26 TigerDirect, Inc. (through witness George Ali) (rough transcript), Aug. 28, 2014 (“TigerDirect
27 30(b)(6) Dep. Tr.”).

INTERROGATORY RESPONSE AS TO IRICO'S TENTH DEFENSE

Plaintiffs' claims and claims of any putative class members are barred, in whole or in part, because any acts or practices of [Group or Display] that are the subject of the Complaint were cost justified or otherwise economically justified and resulted from a good faith effort to meet competition or market conditions.

RESPONSE

Irico further objects that this Interrogatory is premature given that no Irico witnesses have been deposed relating to merits issues and expert analysis and disclosures have not yet begun. *See Young v. Regis Corp.*, No. C 10-02634 SI, 2011 WL 9558055 (N.D. Cal. May 19, 2011). Irico also objects to this interrogatory on the ground that it calls for a legal argument or legal conclusion.

Subject to and without waiving the objections stated above, Irico contends that its acts or practices were cost justified or otherwise economically justified, and resulted from a good faith effort to meet competition or market conditions. In addition, Irico asserts no evidence has been brought in the above captioned matter that indicates any action or practice of Irico was not cost justified, otherwise economically justified, or did not result from a good faith effort to meet competition or market conditions. Pursuant to Rule 33(d) of the Federal Rules of Civil Procedure, Irico relies on the following evidence to support its contention that at all times its acts or practices were cost justified or otherwise economically justified, and resulted from a good faith effort to meet competition or market conditions: Reply Brief of Irico In Support of Motion to Set Aside Default at 10-11, ECF No. 5229; Exs. A – F to the Declaration of Stuart C. Plunkett in Support of Motion to Set Aside Default, ECF Nos. 5229-02 through -07; IRI-CRT-00010133; IRI-CRT-00010449; IRI-CRT-00010468; IRI-CRT-00026812; IRI-CRT-00030226; IRI-CRT-00030865; IRI-CRT-00031457; BMCC-CRT000002761; BMCC-CRT000002762; CHU00029175E; CHU00029179E; CHU00029259E; CHU00030067E; CHU00030777E; CHU00030941E; CHU00030973E; CHU00031018E; CHU00031032; CHU00031044E; and, CHU00031070E.

Irico identifies the following employees as having knowledge regarding this Interrogatory: Wang Zhaojie and Su Xiaohua.

INTERROGATORY RESPONSE AS TO IRICO'S ELEVENTH DEFENSE

Plaintiffs' claims are barred, in whole or in part, because the alleged conduct of [Group or Display] that is the subject of the Complaint was caused by, due to, based upon, or in response to directives, laws, regulations, policies, and/or acts of governments, governmental agencies and entities, and/or regulatory agencies, and such is non-actionable or privileged.

RESPONSE

Irico further objects that this Interrogatory is premature given that no Irico witnesses have been deposed relating to merits issues and expert analysis and disclosures have not yet begun. *See Young v. Regis Corp.*, No. C 10-02634 SI, 2011 WL 9558055 (N.D. Cal. May 19, 2011). Irico also objects to this interrogatory on the ground that it calls for a legal argument or legal conclusion.

Subject to and without waiving the objections stated above, Irico contends that Irico's pricing-related conduct was compelled by the Chinese government and based on duly enacted laws and/or regulations of the People's Republic of China. Irico relies on the following evidence to support this contention:

- The State Planning Commission and the State Economic and Trade Commission issued the "Regulations on Preventing Unfair Price Behavior of Low-Priced Dumping of Industrial Products" – effective as of Nov. 25, 1998. *See* Ex. A to the Declaration of Stuart C. Plunkett in Support of Motion to Set Aside Default, ECF No. 5229-02.
- Notice of the State Planning Commission on Issuing the "Measures for the Determination of the Cost of Dumping Industrial Products at Low Prices (for Trial Implementation)" – effective as of March 1, 1999. *See* <https://law.lawtime.cn/d448076453170.html>.
- Notice of the State Planning Commission and the Ministry of Information Industry on the Trial Measures to Stop Unfair Price Competition of Color Picture Tubes and Color TVs – effective as of April 1, 1999. *See* IRI-CRT-00031457 at 1460-64; Ex.

B to the Declaration of Stuart C. Plunkett in Support of Motion to Set Aside Default, ECF No. 5229-03.

- Notice on submitting cost information of color TV and color tube industry issued by the Ministry of Information Industry in 1999. *See* Ex. D to the Declaration of Stuart C. Plunkett in Support of Motion to Set Aside Default, ECF No. 5229-05.
- Notice on the issuance of the average production cost of some types of color picture tubes and color TV industries issued by the Ministry of Information Industry on April 2, 1999. *See* IRI-CRT-00031457 at 1459-60, 1466-67; Ex. C to the Declaration of Stuart C. Plunkett in Support of Motion to Set Aside Default, ECF No. 5229-04.
- Notice on the issuance of the average production cost of certain types of color TV industries issued by the Ministry of Information Industry on August 25, 2000. *See* Ex. E to the Declaration of Stuart C. Plunkett in Support of Motion to Set Aside Default, ECF No. 5229-06.
- Notice on the issuance of the average production cost of some industries of color picture tubes issued by the Ministry of Information Industry on September 14, 2000. *See* Ex. F to the Declaration of Stuart C. Plunkett in Support of Motion to Set Aside Default, ECF No. 5229-07.

Irigo identifies the following employees as having knowledge regarding this Interrogatory: Wang Zhaojie and Su Xiaohua.

INTERROGATORY RESPONSE AS TO IRICO'S TWELFTH DEFENSE

Plaintiffs' claims are barred, in whole or in part, because the alleged conduct of [Group or Display] that is the subject of the Complaint was caused by or in response to duly enacted laws and/or regulations of the People's Republic of China and is therefore protected under the foreign sovereign compulsion doctrine, the act of state doctrine, and international comity.

RESPONSE

Irigo further objects that this Interrogatory is premature given that no Irigo witnesses have been deposed relating to merits issues and expert analysis and disclosures have not yet begun. *See*

1 *Young v. Regis Corp.*, No. C 10-02634 SI, 2011 WL 9558055 (N.D. Cal. May 19, 2011). Irico
 2 also objects to this interrogatory on the ground that it calls for a legal argument or legal
 3 conclusion.

4 Subject to and without waiving the objections stated above, Irico contends that Irico's
 5 pricing-related conduct was compelled by the Chinese government and based on duly enacted
 6 laws and/or regulations of the People's Republic of China. Irico relies on the following evidence
 7 to support this contention:

- 8 • The State Planning Commission and the State Economic and Trade Commission
 9 issued the "Regulations on Preventing Unfair Price Behavior of Low-Priced
 10 Dumping of Industrial Products" – effective as of Nov. 25, 1998. *See* Ex. A to the
 11 Declaration of Stuart C. Plunkett in Support of Motion to Set Aside Default, ECF
 12 No. 5229-02.
- 13 • Notice of the State Planning Commission on Issuing the "Measures for the
 14 Determination of the Cost of Dumping Industrial Products at Low Prices (for Trial
 15 Implementation)" – effective as of March 1, 1999. *See*
 16 <https://law.lawtime.cn/d448076453170.html>.
- 17 • Notice of the State Planning Commission and the Ministry of Information Industry
 18 on the Trial Measures to Stop Unfair Price Competition of Color Picture Tubes and
 19 Color TVs – effective as of April 1, 1999. *See* IRI-CRT-00031457 at 1460-64; Ex.
 20 B to the Declaration of Stuart C. Plunkett in Support of Motion to Set Aside
 21 Default, ECF No. 5229-03.
- 22 • Notice on submitting cost information of color TV and color tube industry issued
 23 by the Ministry of Information Industry in 1999. *See* Ex. D to the Declaration of
 24 Stuart C. Plunkett in Support of Motion to Set Aside Default, ECF No. 5229-05.
- 25 • Notice on the issuance of the average production cost of some types of color
 26 picture tubes and color TV industries issued by the Ministry of Information
 27 Industry on April 2, 1999. *See* IRI-CRT-00031457 at 1459-60, 1466-67; Ex. C to
 28

the Declaration of Stuart C. Plunkett in Support of Motion to Set Aside Default, ECF No. 5229-04.

- Notice on the issuance of the average production cost of certain types of color TV industries issued by the Ministry of Information Industry on August 25, 2000. *See* Ex. E to the Declaration of Stuart C. Plunkett in Support of Motion to Set Aside Default, ECF No. 5229-06.
- Notice on the issuance of the average production cost of some industries of color picture tubes issued by the Ministry of Information Industry on September 14, 2000. *See* Ex. F to the Declaration of Stuart C. Plunkett in Support of Motion to Set Aside Default, ECF No. 5229-07.

Irigo identifies the following employees as having knowledge regarding this Interrogatory: Wang Zhaojie and Su Xiaohua.

INTERROGATORY RESPONSE AS TO IRICO'S THIRTEENTH DEFENSE

Plaintiffs' claims should be dismissed to the extent that they are barred, in whole or in part, because no Plaintiffs has been injured in its business or property by reason of any action of Group.

RESPONSE

Irigo further objects that this Interrogatory is premature given that no Irigo witnesses have been deposed relating to merits issues and expert analysis and disclosures have not yet begun. *See Young v. Regis Corp.*, No. C 10-02634 SI, 2011 WL 9558055 (N.D. Cal. May 19, 2011). Irigo also objects to this interrogatory on the ground that it calls for a legal argument or legal conclusion. Irigo further objects to this interrogatory to the extent that it improperly tries to shift the pleading and evidentiary burden that Plaintiffs alone carry to Irigo.

Subject to and without waiving the objections stated above, Irigo asserts that Plaintiffs have not established facts that demonstrate that they were actually or proximately injured by reason of any act or omission by Irigo. Irigo further states that Plaintiffs were not actually or proximately injured by reason of any act or omission by Irigo because Irigo did not conspire or enter into any agreements regarding the price of CRTs in the United States market, and did not

1 violate any of the laws set forth in the Plaintiffs' Amended Complaint.

2 Irico states that because Plaintiffs seek to recover for purchases of CRT products as
3 indirect purchasers, Plaintiffs have failed to meet their burden of demonstrating they were injured
4 in a way that the antitrust laws were enacted to prevent. The Ninth Circuit has established that in
5 the absence of a direct relationship with the defendants, a Plaintiffs must be a participant in the
6 allegedly restrained market in order to have suffered "antitrust injury." *See Am. Ad. Mgmt., Inc. v.*
7 *General Tel. Co.*, 190 F.3d 1051, 1057 (9th Cir. 1999) ("Antitrust injury requires the Plaintiffs to
8 have suffered its injury in the market where competition is being restrained. Parties whose
9 injuries, though flowing from that which makes the defendant's conduct unlawful, are
10 experienced in another market do not suffer antitrust injury"); see also *Assoc. Gen. Contractors of*
11 *Cal. v. Cal. State Council of Carpenters* ("AGC"), 549 U.S. 519, 538 (1983) (antitrust laws are
12 designed to "protect[] the economic freedom of participants in the relevant market").

13 Additionally, Irico states that Plaintiffs have not come forward with a reliable
14 methodology to prove the existence of the amount, if any, of pass-through injury to all members
15 of the class. Although not limited to the following, Irico relies on the information contained in the
16 Expert Report of Janusz A. Ordover, Ph.D., August 5, 2014 (IPP Action) at 14-36, and the Expert
17 Report of Janusz A. Ordover, Ph.D., August 5, 2014 (Various DAP Actions) at 14-30.

18 Irico further states that various retailers have testified that they did not uniformly pass
19 through any price increases in CRT Products to consumers. This evidence further establishes that
20 Plaintiffs have not and cannot show which members, if any, of the indirect purchaser class have
21 suffered any alleged injury. Although not limited to the following, Irico relies on the following
22 information: Deposition Tr. of Brian Stone, Dec. 3, 2012 ("Stone Dep. Tr."), at 117:4-22 ("Cost
23 increases that a manufacturer is intending to push across may not be reflected in the overall
24 pricing for the end consumer based upon Best Buy's company's strategy, intent of that product
25 category, the product availability, and the overall competitive nature of the . . . space."); *id.* at
26 167:21-169:1 ("There could be instances where due to competitive pricing forces costs could go
27 up, but retail pricing may not be able to go up based upon in-country availability of products,
28 competitive forces, seasonality."); Rule 30(b)(6) Deposition of Office Depot July 24, 2014

1 (“Office Depot 30(b)(6) Dep. Tr.”), at 147:16-148:7 (“[W]e will look at the market, we will look
 2 at what’s in the market, look at the competitive intelligence of what people are carrying, what
 3 they are selling production for, what’s in our current assortment, what we’re charging for that, and
 4 in most cases you cannot increase and pass, the customers just won’t buy it because it will be
 5 overpriced.”); Rule 30(b)(6) Deposition Tr. of Interbond Corp. of America, d/b/a Brandsmart
 6 USA (through witness Larry Sinewitz), Feb. 6, 2014 (“Interbond 30(b)(6) Dep. Tr.”), at 287:13-
 7 20; Deposition Tr. of Aimee Fields, June 4, 2014 (“Fields Dep. Tr.”), at 125:12-126:3; Rule
 8 30(b)(6) Deposition Tr. of Fry’s Electronics (through witness Raj Seth) (rough transcript), Aug.
 9 27, 2014 (“Fry’s 30(b)(6) Dep. Tr.”), at 182:6-184:10; Rule 30(b)(6) Deposition Tr. of
 10 TigerDirect, Inc. (through witness George Ali) (rough transcript), Aug. 28, 2014 (“TigerDirect
 11 30(b)(6) Dep. Tr.”).

12 **INTERROGATORY RESPONSE AS TO IRICO’S FOURTEENTH DEFENSE**

13 Plaintiffs’ claims and claims of any putative class members are barred, in whole or in part,
 14 because any alleged injuries and/or damages were not legally or proximately caused by any acts
 15 or omissions of [Group or Display] and/or were caused, if at all, solely and proximately by the
 16 conduct of third parties including, without limitations, the prior, intervening or superseding
 17 conduct of such third parties.

18 **RESPONSE**

19 Irico further objects that this Interrogatory is premature given that no Irico witnesses have
 20 been deposed relating to merits issues and expert analysis and disclosures have not yet begun. *See*
 21 *Young v. Regis Corp.*, No. C 10-02634 SI, 2011 WL 9558055 (N.D. Cal. May 19, 2011). Irico
 22 also objects to this interrogatory on the ground that it calls for a legal argument or legal
 23 conclusion.

24 Subject to and without waiving the objections stated above, Irico contends that Irico’s
 25 pricing-related conduct was compelled by the Chinese government and based on duly enacted
 26 laws and/or regulations of the People’s Republic of China. Irico relies on the following evidence
 27 to support this contention:
 28

- 1 • The State Planning Commission and the State Economic and Trade Commission
2 issued the "Regulations on Preventing Unfair Price Behavior of Low-Priced
3 Dumping of Industrial Products" – effective as of Nov. 25, 1998. *See* Ex. A to the
4 Declaration of Stuart C. Plunkett in Support of Motion to Set Aside Default, ECF
5 No. 5229-02.
- 6 • Notice of the State Planning Commission on Issuing the "Measures for the
7 Determination of the Cost of Dumping Industrial Products at Low Prices (for Trial
8 Implementation)" – effective as of March 1, 1999. *See*
9 <https://law.lawtime.cn/d448076453170.html>.
- 10 • Notice of the State Planning Commission and the Ministry of Information Industry
11 on the Trial Measures to Stop Unfair Price Competition of Color Picture Tubes and
12 Color TVs – effective as of April 1, 1999. *See* IRI-CRT-00031457 at 1460-64; Ex.
13 B to the Declaration of Stuart C. Plunkett in Support of Motion to Set Aside
14 Default, ECF No. 5229-03.
- 15 • Notice on submitting cost information of color TV and color tube industry issued
16 by the Ministry of Information Industry in 1999. *See* Ex. D to the Declaration of
17 Stuart C. Plunkett in Support of Motion to Set Aside Default, ECF No. 5229-05.
- 18 • Notice on the issuance of the average production cost of some types of color
19 picture tubes and color TV industries issued by the Ministry of Information
20 Industry on April 2, 1999. *See* IRI-CRT-00031457 at 1459-60, 1466-67; Ex. C to
21 the Declaration of Stuart C. Plunkett in Support of Motion to Set Aside Default,
22 ECF No. 5229-04.
- 23 • Notice on the issuance of the average production cost of certain types of color TV
24 industries issued by the Ministry of Information Industry on August 25, 2000. *See*
25 Ex. E to the Declaration of Stuart C. Plunkett in Support of Motion to Set Aside
26 Default, ECF No. 5229-06.
- 27 • Notice on the issuance of the average production cost of some industries of color
28 picture tubes issued by the Ministry of Information Industry on September 14,

2000. *See* Ex. F to the Declaration of Stuart C. Plunkett in Support of Motion to Set Aside Default, ECF No. 5229-07.

Irigo identifies the following employees as having knowledge regarding this Interrogatory: Wang Zhaojie and Su Xiaohua.

INTERROGATORY RESPONSE AS TO IRICO'S FIFTEENTH DEFENSE

To the extent that any actionable conduct occurred, Plaintiffs claims and the claims of any putative class members against [Group or Display] are barred because all such conduct would have been committed by individuals acting *ultra vires*.

RESPONSE

Subject to and without waiving the objections stated above, and based on its present knowledge, Irigo responds by stating that it affirms its prior response. *See* Irigo Defendants' Second Supplemental Objections and Responses to Indirect Purchaser Plaintiffs' First Set of Interrogatories, June 25, 2021.

INTERROGATORY RESPONSE AS TO IRICO'S SIXTEENTH DEFENSE

Plaintiffs' claims should be dismissed to the extent they are barred, in whole or in part, because any injury or damage alleged in the Complaint, which [Group or Display] specifically denies, was passed on to persons or entities other than the Plaintiffs and/or was passed on by Plaintiffs to other parties.

RESPONSE

Irigo further objects that this Interrogatory is premature given that no Irigo witnesses have been deposed relating to merits issues and expert analysis and disclosures have not yet begun. *See Young v. Regis Corp.*, No. C 10-02634 SI, 2011 WL 9558055 (N.D. Cal. May 19, 2011). Irigo also objects to this interrogatory on the ground that it calls for a legal argument or legal conclusion. Irigo further objects to this interrogatory to the extent that it improperly tries to shift the pleading and evidentiary burden that Plaintiffs alone carry to Irigo.

Subject to and without waiving the objections stated above, Irigo asserts that Plaintiffs have not established facts that demonstrate that they were actually or proximately injured by reason of any act or omission by Irigo. Irigo further states that Plaintiffs were not actually or

1 proximately injured by reason of any act or omission by Irico because Irico did not conspire or
 2 enter into any agreements regarding the price of CRTs in the United States market, and did not
 3 violate any of the laws set forth in the Plaintiffs' Amended Complaint.

4 Irico states that because Plaintiffs seek to recover for purchases of CRT products as
 5 indirect purchasers, Plaintiffs have failed to meet their burden of demonstrating they were injured
 6 in a way that the antitrust laws were enacted to prevent. The Ninth Circuit has established that in
 7 the absence of a direct relationship with the defendants, a Plaintiffs must be a participant in the
 8 allegedly restrained market in order to have suffered "antitrust injury." *See Am. Ad. Mgmt., Inc. v.*
 9 *General Tel. Co.*, 190 F.3d 1051, 1057 (9th Cir. 1999) ("Antitrust injury requires the Plaintiffs to
 10 have suffered its injury in the market where competition is being restrained. Parties whose
 11 injuries, though flowing from that which makes the defendant's conduct unlawful, are
 12 experienced in another market do not suffer antitrust injury"); see also *Assoc. Gen. Contractors of*
 13 *Cal. v. Cal. State Council of Carpenters ("AGC")*, 549 U.S. 519, 538 (1983) (antitrust laws are
 14 designed to "protect[] the economic freedom of participants in the relevant market").

15 Irico further states that various retailers have testified that they did not uniformly pass
 16 through any price increases in CRT Products to consumers. This evidence further establishes that
 17 Plaintiffs have not and cannot show which members, if any, of the indirect purchaser class have
 18 suffered any alleged injury. Although not limited to the following, Irico relies on the following
 19 information: Deposition Tr. of Brian Stone, Dec. 3, 2012 ("Stone Dep. Tr."), at 117:4-22 ("Cost
 20 increases that a manufacturer is intending to push across may not be reflected in the overall
 21 pricing for the end consumer based upon Best Buy's company's strategy, intent of that product
 22 category, the product availability, and the overall competitive nature of the . . . space."); *id.* at
 23 167:21-169:1 ("There could be instances where due to competitive pricing forces costs could go
 24 up, but retail pricing may not be able to go up based upon in-country availability of products,
 25 competitive forces, seasonality."); Rule 30(b)(6) Deposition of Office Depot July 24, 2014
 26 ("Office Depot 30(b)(6) Dep. Tr."), at 147:16-148:7 ("[W]e will look at the market, we will look
 27 at what's in the market, look at the competitive intelligence of what people are carrying, what
 28 they are selling production for, what's in our current assortment, what we're charging for that, and

1 in most cases you cannot increase and pass, the customers just won't buy it because it will be
 2 overpriced."); Rule 30(b)(6) Deposition Tr. of Interbond Corp. of America, d/b/a Brandsmart
 3 USA (through witness Larry Sinewitz), Feb. 6, 2014 ("Interbond 30(b)(6) Dep. Tr."), at 287:13-
 4 20; Deposition Tr. of Aimee Fields, June 4, 2014 ("Fields Dep. Tr."), at 125:12-126:3; Rule
 5 30(b)(6) Deposition Tr. of Fry's Electronics (through witness Raj Seth) (rough transcript), Aug.
 6 27, 2014 ("Fry's 30(b)(6) Dep. Tr."), at 182:6-184:10; Rule 30(b)(6) Deposition Tr. of
 7 TigerDirect, Inc. (through witness George Ali) (rough transcript), Aug. 28, 2014 ("TigerDirect
 8 30(b)(6) Dep. Tr.").

9 **INTERROGATORY RESPONSE AS TO IRICO'S SEVENTEENTH DEFENSE**

10 Plaintiffs' claims are barred, in whole or in part, to the extent they are based on alleged
 11 acts, conduct or statements that are specifically permitted by law.

12 **RESPONSE**

13 Irico further objects that this Interrogatory is premature given that no Irico witnesses have
 14 been deposed relating to merits issues and expert analysis and disclosures have not yet begun. *See*
 15 *Young v. Regis Corp.*, No. C 10-02634 SI, 2011 WL 9558055 (N.D. Cal. May 19, 2011). Irico
 16 also objects to this interrogatory on the ground that it calls for a legal argument or legal
 17 conclusion.

18 Subject to and without waiving the objections stated above, Irico contends that Irico's
 19 pricing-related conduct was compelled by the Chinese government and based on duly enacted
 20 laws and/or regulations of the People's Republic of China. Irico relies on the following evidence
 21 to support this contention:

- 22 • The State Planning Commission and the State Economic and Trade Commission
 23 issued the "Regulations on Preventing Unfair Price Behavior of Low-Priced
 24 Dumping of Industrial Products" – effective as of Nov. 25, 1998. *See* Ex. A to the
 25 Declaration of Stuart C. Plunkett in Support of Motion to Set Aside Default, ECF
 26 No. 5229-02.
- 27 • Notice of the State Planning Commission on Issuing the "Measures for the
 28 Determination of the Cost of Dumping Industrial Products at Low Prices (for Trial

Implementation)" – effective as of March 1, 1999. *See*

<https://law.lawtime.cn/d448076453170.html>.

- Notice of the State Planning Commission and the Ministry of Information Industry on the Trial Measures to Stop Unfair Price Competition of Color Picture Tubes and Color TVs – effective as of April 1, 1999. *See* IRI-CRT-00031457 at 1460-64; Ex. B to the Declaration of Stuart C. Plunkett in Support of Motion to Set Aside Default, ECF No. 5229-03.
- Notice on submitting cost information of color TV and color tube industry issued by the Ministry of Information Industry in 1999. *See* Ex. D to the Declaration of Stuart C. Plunkett in Support of Motion to Set Aside Default, ECF No. 5229-05.
- Notice on the issuance of the average production cost of some types of color picture tubes and color TV industries issued by the Ministry of Information Industry on April 2, 1999. *See* IRI-CRT-00031457 at 1459-60, 1466-67; Ex. C to the Declaration of Stuart C. Plunkett in Support of Motion to Set Aside Default, ECF No. 5229-04.
- Notice on the issuance of the average production cost of certain types of color TV industries issued by the Ministry of Information Industry on August 25, 2000. *See* Ex. E to the Declaration of Stuart C. Plunkett in Support of Motion to Set Aside Default, ECF No. 5229-06.
- Notice on the issuance of the average production cost of some industries of color picture tubes issued by the Ministry of Information Industry on September 14, 2000. *See* Ex. F to the Declaration of Stuart C. Plunkett in Support of Motion to Set Aside Default, ECF No. 5229-07.

Irco identifies the following employees as having knowledge regarding this Interrogatory: Wang Zhaojie and Su Xiaohua.

INTERROGATORY RESPONSE AS TO IRICO'S EIGHTEENTH DEFENSE

Plaintiffs' claims should be dismissed, in whole or in part, because Plaintiffs and/or certain members of the putative class failed to take all necessary, reasonable, and appropriate actions to mitigate their alleged damages, if any.

RESPONSE

Subject to and without waiving the objections stated above, and based on its present knowledge, Irico responds by stating that it affirms its prior response. *See* Irico Defendants' Second Supplemental Objections and Responses to Indirect Purchaser Plaintiffs' First Set of Interrogatories, June 25, 2021.

INTERROGATORY RESPONSE AS TO IRICO'S NINETEENTH DEFENSE

Plaintiffs' claims should be dismissed to the extent that they are barred, in whole or in part, because Plaintiffs and/or certain members of the putative class would be unjustly enriched if they were allowed to recover any part of the damages alleged in the Amended Complaint.

RESPONSE

Subject to and without waiving the objections stated above, and based on its present knowledge, Irico responds by stating that it affirms its prior response. *See* Irico Defendants' Second Supplemental Objections and Responses to Indirect Purchaser Plaintiffs' First Set of Interrogatories, June 25, 2021.

INTERROGATORY RESPONSE AS TO IRICO'S TWENTIETH DEFENSE

Without admitting that Plaintiffs are entitled to recover damages in this matter, Group is entitled to set off from any recovery Plaintiffs may obtain against Group any amount paid to Plaintiffs by any other Defendants who have settled, or do settle, Plaintiffs' claims in this matter.

RESPONSE

Irigo further objects to this interrogatory on the ground that it calls for a legal argument or legal conclusion.

Subject to and without waiving the objections stated above, Irigo states that a Plaintiffs who recovers damages from one co-conspirator, whether by verdict or settlement, may not recover those same damages again from another co-conspirator. *See* Order Granting Final

Approval, ECF No. 5786 (approving IPP settlements with Philips, Panasonic, Hitachi, Toshiba, Samsung, and Thomson/TDA); *see also Zenith Radio Corp. v. Hazeltine Research, Inc.*, 401 U.S. 321, 348 (1971); *Seymour v. Summa Vista Cinema, Inc.*, 809 F.2d 1385, 1389 (9th Cir. 1987); *Husky Refining Co. v. Barnes*, 119 F.2d 715, 716 (9th Cir. 1941); *In re Piper Aircraft*, 792 F. Supp. 1189, 1190-91 (N.D. Cal. 1992). While Irico maintains that the evidence does not prove that it conspired or entered into any agreements regarding the price of CRTs in the United States market, or violated any of the laws set forth in IPPs' Complaint, if it were proven that Irico conspired or agreed to fix prices, as alleged, any recovery would need to be reduced by settlements with other defendants in this or related matters.

Additionally, Irico states that applicable state law prohibits duplicative recovery by multiple direct or indirect purchasers. *See, e.g.*, N.Y. Gen. Bus. Law § 340(6) ("In actions where both direct and indirect purchasers are involved, a defendant shall be entitled to prove as a partial or complete defense to a claim for damages that the illegal overcharge has been passed on to others who are themselves entitled to recover so as to avoid duplication of recovery of damages."); *Clayworth v. Pfizer, Inc.*, 49 Cal. 4th 758, 787 (2010) (holding that under California law, "[i]n instances where multiple levels of purchasers have sued, or where a risk remains they may sue . . . if damages must be allocated among the various levels of injured purchasers, the bar on consideration of the pass-on evidence must necessarily be lifted . . ."); Haw. Rev. Stat. § 480-13 (2011) ("In class actions or de facto class actions where both direct and indirect purchasers are involved, or where more than one class of indirect purchasers are involved, a defendant shall be entitled to prove as a partial or complete defense to a claim for compensatory damages that the illegal overcharge has been passed on or passed back to others who are themselves entitled to recover so as to avoid the duplication of recovery of compensatory damages."); Neb. Rev. Stat. § 59-821.01 (2012) ("A defendant may prove, as a partial or complete defense to a claim for damages under sections 59-801 to 59-831 and this section, that the illegal overcharge or undercharge has been passed on to others who are themselves entitled to recover so as to avoid duplication of recovery of such damages . . ."); N.D. Cent. Code § 51-08.1-08 ("In any action for damages under this section, any defendant, as a partial or complete defense against a claim for

1 damages, is entitled to prove that the Plaintiffs purchaser, or seller in the chain of manufacture,
 2 production, or distribution, who paid any overcharge or received any underpayment passed on all
 3 or any part of the overcharge or underpayment to another purchaser or seller in that action.”).

4 **INTERROGATORY RESPONSE AS TO IRICO’S TWENTY-FIRST DEFENSE**

5 To the extent that any actionable conduct occurred for which [Group or Display] is liable,
 6 some or all of Plaintiffs' claims against [Group or Display] are barred because [Group or Display]
 7 withdrew from and/or abandoned any alleged conspiracy and thus Plaintiffs cannot establish
 8 liability or compensable damages as a matter of law on the basis that, among other things, [Group
 9 or Display] withdrew and/or abandoned any alleged conspiracy prior to the commencement of the
 10 limitations period set forth in applicable statutes of limitations.

11 **RESPONSE**

12 Irico further objects that this Interrogatory is premature given that no Irico witnesses have
 13 been deposed relating to merits issues and expert analysis and disclosures have not been
 14 completed. *See Young v. Regis Corp.*, No. C 10-02634 SI, 2011 WL 9558055 (N.D. Cal. May 19,
 15 2011). Irico also objects to this interrogatory on the ground that it calls for a legal argument or
 16 legal conclusion.

17 Subject to and without waiving the objections stated above, and based on its present
 18 knowledge, Irico responds as follows: Based on further investigation, Irico renews its Twenty-
 19 First Defense. Irico understands that Plaintiff has alleged a single global conspiracy
 20 encompassing all CRTs, including both color picture tubes (“CPTs”) and color display tubes
 21 (“CDTs”) sold during the Relevant Period. Irico denies participating in any such conspiracy, and
 22 also contends that the conspiracy as alleged by plaintiffs is inappropriately broad as it includes
 23 multiple categories of CRTs, including different sizes and types, that are not functional substitutes
 24 in use. *See* Heiser (Hitachi) Dep. 46:24-47:23; Michael Son (SDI) Dep. 318:20-319:9; Jae In Lee
 25 (SDI) Dep. 212:1-213:2; Chih Chun Liu (Chunghwa) Dep. 502:2-19; Phillip Johnson Dep. 27:6-
 26 28:6. Irico contends that, if any CRT-related conspiracy existed, as a matter of economic
 27 feasibility it could not encompass both CPTs and CDTs.

28 Irico contends that it ceased production and sale of CDTs no later than 2004 and thus

could not have participated in any conspiracy to fix prices or restrain production of CDTs, if any such conspiracy existed, after that time. Irico identifies the following evidence in support of its Twenty-First Defense: IRI-CRT-00031179 through -31215; witnesses Wang Zhaojie and Su Xiaohua. Irico further refers Plaintiff to the forthcoming spreadsheet(s) summarizing its original CRT sales records.

INTERROGATORY RESPONSE AS TO IRICO'S TWENTY-SECOND DEFENSE

Plaintiffs' claims should be dismissed to the extent that they are barred, in whole or in part, by the doctrines of waiver and/or estoppel.

RESPONSE

Subject to and without waiving the objections stated above, and based on its present knowledge, Irico responds by stating that it affirms its prior response. *See* Irico Defendants' Second Supplemental Objections and Responses to Indirect Purchaser Plaintiffs' First Set of Interrogatories, June 25, 2021.

INTERROGATORY RESPONSE AS TO IRICO'S TWENTY-THIRD DEFENSE

Plaintiffs' claims should be dismissed to the extent that they are barred, in whole or in part, by the equitable doctrine of laches.

RESPONSE

Subject to and without waiving the objections stated above, and based on its present knowledge, Irico responds by stating that it affirms its prior response. *See* Irico Defendants' Second Supplemental Objections and Responses to Indirect Purchaser Plaintiffs' First Set of Interrogatories, June 25, 2021.

INTERROGATORY RESPONSE AS TO IRICO'S TWENTY-FOURTH DEFENSE

Plaintiffs' claims should be dismissed to the extent that they are barred, in whole or in part, by the equitable doctrine of unclean hands.

RESPONSE

Subject to and without waiving the objections stated above, and based on its present knowledge, Irico responds by stating that it affirms its prior response. *See* Irico Defendants' Second

Supplemental Objections and Responses to Indirect Purchaser Plaintiffs' First Set of Interrogatories, June 25, 2021.

INTERROGATORY RESPONSE AS TO IRICO'S TWENTY-FIFTH DEFENSE

Plaintiffs' claims should be dismissed to the extent that they are barred, in whole or in part, by Plaintiffs' and/or certain members of the putative class acquiescence and/or confirmation of any and all conduct and/or omissions alleged as to [Group or Display].

RESPONSE

Subject to and without waiving the objections stated above, and based on its present knowledge, Irico responds by stating that it affirms its prior response. *See* Irico Defendants' Second Supplemental Objections and Responses to Indirect Purchaser Plaintiffs' First Set of Interrogatories, June 25, 2021.

INTERROGATORY RESPONSE AS TO IRICO'S TWENTY-SIXTH DEFENSE

Plaintiffs' claims are barred, in whole or in part, by the doctrine of accord and satisfaction.

RESPONSE

Subject to and without waiving the objections stated above, and based on its present knowledge, Irico responds by stating that it affirms its prior response. *See* Irico Defendants' Second Supplemental Objections and Responses to Indirect Purchaser Plaintiffs' First Set of Interrogatories, June 25, 2021.

INTERROGATORY RESPONSE AS TO IRICO'S TWENTY-SEVENTH DEFENSE

The Amended Complaint should be dismissed on the grounds of forum non conveniens.

RESPONSE

Subject to and without waiving the objections stated above, and based on its present knowledge, Irico responds by stating that Irico withdraws its Twenty-Seventh Defense.

INTERROGATORY RESPONSE AS TO IRICO'S TWENTY-EIGHTH DEFENSE

Plaintiffs' claims and claims of any putative class members against Group are barred to the extent that they have agreed to arbitration or chosen a different forum for the resolution of their claims.

RESPONSE

1 Subject to and without waiving the objections stated above, and based on its present
2 knowledge, Irico responds by stating that Irico withdraws its Twenty-Eighth Defense.

3 **INTERROGATORY RESPONSE AS TO IRICO'S TWENTY-NINTH DEFENSE**

4 Plaintiffs' claims for injunctive relief should be dismissed because Plaintiffs and/or certain
5 members of the putative class have available an adequate remedy at law.

6 **RESPONSE**

7 Irico further objects to this interrogatory on the ground that it calls for a legal argument or
8 legal conclusion. Irico also objects to this interrogatory to the extent that it improperly tries to
9 shift the pleading and evidentiary burden that Plaintiffs alone carry to Irico.

10 Subject to and without waiving the objections stated above, Irico contends that Plaintiffs'
11 claims for injunctive relief should be dismissed because Plaintiffs have an available adequate
12 remedy at law. *See Walters v. Reno*, 145 F.3d 1032, 1048 (9th Cir. 1998) ("Injunctive relief is
13 proper only if monetary damages or other legal remedies will not compensate the Plaintiffs for
14 their injuries."). To be entitled to an injunction, Plaintiffs must establish that there is a threat of
15 injury. However, there is no continuing harm or continuing injury that could be enjoined.
16 Plaintiffs also do not allege that there was a continuing conspiracy after 2007. Therefore, there are
17 no grounds for an injunction. Although not limited to the following, Irico relies on the following
18 evidence to support the contention that Plaintiffs' claims for injunctive relief should be dismissed:
19 Defendants' Motion to Dismiss the State of Florida's Complaint, July 3, 2012 (ECF No. 1248)
20 and Stipulation and Order Dismissing the Claims of Plaintiffs State of Florida, December 10,
21 2012 (ECF No. 1480).

22 **INTERROGATORY RESPONSE AS TO IRICO'S THIRTIETH DEFENSE**

23 Plaintiffs' claims should be dismissed to the extent that they are barred, in whole or in part,
24 for failure to join indispensable parties.

25 **RESPONSE**

26 Subject to and without waiving the objections stated above, and based on its present
27 knowledge, Irico responds by stating that it affirms its prior response. *See* Irico Defendants'
28 Second Supplemental Objections and Responses to Indirect Purchaser Plaintiffs' First Set of

1 Interrogatories, June 25, 2021.

2 **INTERROGATORY RESPONSE AS TO IRICO'S THIRTY-FIRST DEFENSE**

3 Plaintiffs' claims and claims of any putative class members are barred, in whole or in part,
4 to the extent they seek an improper multiple punitive award for a single wrong because such an
5 award would violate [Group or Display]'s rights guaranteed by the Due Process clause of the
6 Fifth Amendment of the United States Constitution.

7 **RESPONSE**

8 Irico further objects to this interrogatory on the ground that it calls for a legal argument or
9 legal conclusion. Irico also objects to this interrogatory on the grounds that it is premature at this
10 stage in the proceedings as damages have not been awarded.

11 Subject to and without waiving the objections stated above, Irico states that a Plaintiffs
12 who recovers damages from one co-conspirator, whether by verdict or settlement, may not
13 recover those same damages again from another co-conspirator. *Zenith Radio Corp. v. Hazeltine*
14 *Research, Inc.*, 401 U.S. 321, 348 (1971); *Seymour v. Summa Vista Cinema, Inc.*, 809 F.2d 1385,
15 1389 (9th Cir. 1987); *Husky Refining Co. v. Barnes*, 119 F.2d 715, 716 (9th Cir. 1941); *In re*
16 *Piper Aircraft*, 792 F. Supp. 1189, 1190-91 (N.D. Cal. 1992). While Irico maintains that the
17 evidence does not prove that it conspired or entered into any agreements regarding the price of
18 CRTs in the United States market, or violated any of the laws set forth in Plaintiffs' Complaint, if
19 it were proven that Irico conspired or agreed to fix prices, as alleged, any recovery would need to
20 be reduced by settlements with other defendants in this or related matters.

21 Additionally, Irico states that applicable state law prohibits duplicative recovery by
22 multiple direct or indirect purchasers. *See, e.g.*, N.Y. Gen. Bus. Law § 340(6) ("In actions where
23 both direct and indirect purchasers are involved, a defendant shall be entitled to prove as a partial
24 or complete defense to a claim for damages that the illegal overcharge has been passed on to
25 others who are themselves entitled to recover so as to avoid duplication of recovery of
26 damages."); *Clayworth v. Pfizer, Inc.*, 49 Cal. 4th 758, 787 (2010) (holding that under California
27 law, "[i]n instances where multiple levels of purchasers have sued, or where a risk remains they
28 may sue . . . if damages must be allocated among the various levels of injured purchasers, the bar

on consideration of the pass-on evidence must necessarily be lifted”); Haw. Rev. Stat. § 480-13 (2011) (“In class actions or de facto class actions where both direct and indirect purchasers are involved, or where more than one class of indirect purchasers are involved, a defendant shall be entitled to prove as a partial or complete defense to a claim for compensatory damages that the illegal overcharge has been passed on or passed back to others who are themselves entitled to recover so as to avoid the duplication of recovery of compensatory damages.”); Neb. Rev. Stat. § 59-821.01 (2012) (“A defendant may prove, as a partial or complete defense to a claim for damages under sections 59-801 to 59-831 and this section, that the illegal overcharge or undercharge has been passed on to others who are themselves entitled to recover so as to avoid duplication of recovery of such damages”); N.D. Cent. Code § 51-08.1-08 (“In any action for damages under this section, any defendant, as a partial or complete defense against a claim for damages, is entitled to prove that the Plaintiffs purchaser, or seller in the chain of manufacture, production, or distribution, who paid any overcharge or received any underpayment passed on all or any part of the overcharge or underpayment to another purchaser or seller in that action.”).

INTERROGATORY RESPONSE AS TO IRICO’S THIRTY-SECOND DEFENSE

Plaintiffs’ claims and claims of any putative class members are barred, in whole or in part, to the extent they seek an improper multiple punitive award for a single wrong because such an award would violate [Group or Display]’s rights guaranteed by the Due Process provision of the Fourteenth Amendment of the United States Constitution.

RESPONSE

Irigo further objects to this interrogatory on the ground that it calls for a legal argument or legal conclusion. Irigo also objects to this interrogatory on the grounds that it is premature at this stage in the proceedings as damages have not been awarded.

Subject to and without waiving the objections stated above, Irigo states that a Plaintiffs who recovers damages from one co-conspirator, whether by verdict or settlement, may not recover those same damages again from another co-conspirator. *Zenith Radio Corp. v. Hazeltine Research, Inc.*, 401 U.S. 321, 348 (1971); *Seymour v. Summa Vista Cinema, Inc.*, 809 F.2d 1385, 1389 (9th Cir. 1987); *Husky Refining Co. v. Barnes*, 119 F.2d 715, 716 (9th Cir. 1941); *In re*

1 *Piper Aircraft*, 792 F. Supp. 1189, 1190-91 (N.D. Cal. 1992). While Irico maintains that the
 2 evidence does not prove that it conspired or entered into any agreements regarding the price of
 3 CRTs in the United States market, or violated any of the laws set forth in Plaintiffs' Complaint, if
 4 it were proven that Irico conspired or agreed to fix prices, as alleged, any recovery would need to
 5 be reduced by settlements with other defendants in this or related matters.

6 Additionally, Irico states that applicable state law prohibits duplicative recovery by
 7 multiple direct or indirect purchasers. See, e.g., N.Y. Gen. Bus. Law § 340(6) ("In actions where
 8 both direct and indirect purchasers are involved, a defendant shall be entitled to prove as a partial
 9 or complete defense to a claim for damages that the illegal overcharge has been passed on to
 10 others who are themselves entitled to recover so as to avoid duplication of recovery of
 11 damages."); *Clayworth v. Pfizer, Inc.*, 49 Cal. 4th 758, 787 (2010) (holding that under California
 12 law, "[i]n instances where multiple levels of purchasers have sued, or where a risk remains they
 13 may sue . . . if damages must be allocated among the various levels of injured purchasers, the bar
 14 on consideration of the pass-on evidence must necessarily be lifted . . ."); Haw. Rev. Stat. § 480-
 15 13 (2011) ("In class actions or de facto class actions where both direct and indirect purchasers are
 16 involved, or where more than one class of indirect purchasers are involved, a defendant shall be
 17 entitled to prove as a partial or complete defense to a claim for compensatory damages that the
 18 illegal overcharge has been passed on or passed back to others who are themselves entitled to
 19 recover so as to avoid the duplication of recovery of compensatory damages."); Neb. Rev. Stat. §
 20 59-821.01 (2012) ("A defendant may prove, as a partial or complete defense to a claim for
 21 damages under sections 59-801 to 59-831 and this section, that the illegal overcharge or
 22 undercharge has been passed on to others who are themselves entitled to recover so as to avoid
 23 duplication of recovery of such damages . . ."); N.D. Cent. Code § 51-08.1-08 ("In any action for
 24 damages under this section, any defendant, as a partial or complete defense against a claim for
 25 damages, is entitled to prove that the Plaintiffs purchaser, or seller in the chain of manufacture,
 26 production, or distribution, who paid any overcharge or received any underpayment passed on all
 27 or any part of the overcharge or underpayment to another purchaser or seller in that action.").

INTERROGATORY RESPONSE AS TO IRICO'S THIRTY-THIRD DEFENSE

Plaintiffs' claims and claims of any putative class members are barred, in whole or in part, to the extent they seek an improper multiple punitive award for a single wrong because such an award would violate [Group or Display]'s rights guaranteed by the Equal Protection provision of the Fourteenth Amendment of the United States Constitution.

RESPONSE

Irico further objects to this interrogatory on the ground that it calls for a legal argument or legal conclusion. Irico also objects to this interrogatory on the grounds that it is premature at this stage in the proceedings as damages have not been awarded.

Subject to and without waiving the objections stated above, Irico states that a Plaintiffs who recovers damages from one co-conspirator, whether by verdict or settlement, may not recover those same damages again from another co-conspirator. *Zenith Radio Corp. v. Hazeltine Research, Inc.*, 401 U.S. 321, 348 (1971); *Seymour v. Summa Vista Cinema, Inc.*, 809 F.2d 1385, 1389 (9th Cir. 1987); *Husky Refining Co. v. Barnes*, 119 F.2d 715, 716 (9th Cir. 1941); *In re Piper Aircraft*, 792 F. Supp. 1189, 1190-91 (N.D. Cal. 1992). While Irico maintains that the evidence does not prove that it conspired or entered into any agreements regarding the price of CRTs in the United States market, or violated any of the laws set forth in Plaintiffs' Complaint, if it were proven that Irico conspired or agreed to fix prices, as alleged, any recovery would need to be reduced by settlements with other defendants in this or related matters.

Additionally, Irico states that applicable state law prohibits duplicative recovery by multiple direct or indirect purchasers. See, e.g., N.Y. Gen. Bus. Law § 340(6) ("In actions where both direct and indirect purchasers are involved, a defendant shall be entitled to prove as a partial or complete defense to a claim for damages that the illegal overcharge has been passed on to others who are themselves entitled to recover so as to avoid duplication of recovery of damages."); *Clayworth v. Pfizer, Inc.*, 49 Cal. 4th 758, 787 (2010) (holding that under California law, "[i]n instances where multiple levels of purchasers have sued, or where a risk remains they may sue . . . if damages must be allocated among the various levels of injured purchasers, the bar on consideration of the pass-on evidence must necessarily be lifted . . ."); Haw. Rev. Stat. § 480-

13 (2011) (“In class actions or de facto class actions where both direct and indirect purchasers are involved, or where more than one class of indirect purchasers are involved, a defendant shall be entitled to prove as a partial or complete defense to a claim for compensatory damages that the illegal overcharge has been passed on or passed back to others who are themselves entitled to recover so as to avoid the duplication of recovery of compensatory damages.”); Neb. Rev. Stat. § 59-821.01 (2012) (“A defendant may prove, as a partial or complete defense to a claim for damages under sections 59-801 to 59-831 and this section, that the illegal overcharge or undercharge has been passed on to others who are themselves entitled to recover so as to avoid duplication of recovery of such damages”); N.D. Cent. Code § 51-08.1-08 (“In any action for damages under this section, any defendant, as a partial or complete defense against a claim for damages, is entitled to prove that the Plaintiffs purchaser, or seller in the chain of manufacture, production, or distribution, who paid any overcharge or received any underpayment passed on all or any part of the overcharge or underpayment to another purchaser or seller in that action.”).

INTERROGATORY RESPONSE AS TO IRICO’S THIRTY-FOURTH DEFENSE

Plaintiffs’ claims and claims of any putative class members are barred, in whole or in part, to the extent they seek an improper multiple punitive award for a single wrong because such an award would violate [Group or Display]’s rights guaranteed by the Double Jeopardy Clause of the Fifth Amendment of the United States Constitution.

RESPONSE

Irico further objects to this interrogatory on the ground that it calls for a legal argument or legal conclusion. Irico also objects to this interrogatory on the grounds that it is premature at this stage in the proceedings as damages have not been awarded.

Subject to and without waiving the objections stated above, Irico states that a Plaintiffs who recovers damages from one co-conspirator, whether by verdict or settlement, may not recover those same damages again from another co-conspirator. *Zenith Radio Corp. v. Hazeltine Research, Inc.*, 401 U.S. 321, 348 (1971); *Seymour v. Summa Vista Cinema, Inc.*, 809 F.2d 1385, 1389 (9th Cir. 1987); *Husky Refining Co. v. Barnes*, 119 F.2d 715, 716 (9th Cir. 1941); *In re Piper Aircraft*, 792 F. Supp. 1189, 1190-91 (N.D. Cal. 1992). While Irico maintains that the

1 evidence does not prove that it conspired or entered into any agreements regarding the price of
2 CRTs in the United States market, or violated any of the laws set forth in Plaintiffs' Complaint, if
3 it were proven that Irico conspired or agreed to fix prices, as alleged, any recovery would need to
4 be reduced by settlements with other defendants in this or related matters.

5 Additionally, Irico states that applicable state law prohibits duplicative recovery by
6 multiple direct or indirect purchasers. See, e.g., N.Y. Gen. Bus. Law § 340(6) ("In actions where
7 both direct and indirect purchasers are involved, a defendant shall be entitled to prove as a partial
8 or complete defense to a claim for damages that the illegal overcharge has been passed on to
9 others who are themselves entitled to recover so as to avoid duplication of recovery of
10 damages."); *Clayworth v. Pfizer, Inc.*, 49 Cal. 4th 758, 787 (2010) (holding that under California
11 law, "[i]n instances where multiple levels of purchasers have sued, or where a risk remains they
12 may sue . . . if damages must be allocated among the various levels of injured purchasers, the bar
13 on consideration of the pass-on evidence must necessarily be lifted . . ."); Haw. Rev. Stat. § 480-
14 13 (2011) ("In class actions or de facto class actions where both direct and indirect purchasers are
15 involved, or where more than one class of indirect purchasers are involved, a defendant shall be
16 entitled to prove as a partial or complete defense to a claim for compensatory damages that the
17 illegal overcharge has been passed on or passed back to others who are themselves entitled to
18 recover so as to avoid the duplication of recovery of compensatory damages."); Neb. Rev. Stat. §
19 59-821.01 (2012) ("A defendant may prove, as a partial or complete defense to a claim for
20 damages under sections 59-801 to 59-831 and this section, that the illegal overcharge or
21 undercharge has been passed on to others who are themselves entitled to recover so as to avoid
22 duplication of recovery of such damages . . ."); N.D. Cent. Code § 51-08.1-08 ("In any action for
23 damages under this section, any defendant, as a partial or complete defense against a claim for
24 damages, is entitled to prove that the Plaintiffs purchaser, or seller in the chain of manufacture,
25 production, or distribution, who paid any overcharge or received any underpayment passed on all
26 or any part of the overcharge or underpayment to another purchaser or seller in that action.").

27
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INTERROGATORY RESPONSE AS TO IRICO'S THIRTY-FIFTH DEFENSE

Plaintiffs' claims and claims of any putative class members are barred, in whole or in part, to the extent they seek an improper multiple punitive award for a single wrong because such an award would violate [Group or Display]'s rights guaranteed by the Excessive Fines provision of the Eighth Amendment of the United States Constitution.

RESPONSE

Irico further objects to this interrogatory on the ground that it calls for a legal argument or legal conclusion. Irico also objects to this interrogatory on the grounds that it is premature at this stage in the proceedings as damages have not been awarded.

Subject to and without waiving the objections stated above, Irico states that a Plaintiffs who recovers damages from one co-conspirator, whether by verdict or settlement, may not recover those same damages again from another co-conspirator. *Zenith Radio Corp. v. Hazeltine Research, Inc.*, 401 U.S. 321, 348 (1971); *Seymour v. Summa Vista Cinema, Inc.*, 809 F.2d 1385, 1389 (9th Cir. 1987); *Husky Refining Co. v. Barnes*, 119 F.2d 715, 716 (9th Cir. 1941); *In re Piper Aircraft*, 792 F. Supp. 1189, 1190-91 (N.D. Cal. 1992). While Irico maintains that the evidence does not prove that it conspired or entered into any agreements regarding the price of CRTs in the United States market, or violated any of the laws set forth in Plaintiffs' Complaint, if it were proven that Irico conspired or agreed to fix prices, as alleged, any recovery would need to be reduced by settlements with other defendants in this or related matters.

Additionally, Irico states that applicable state law prohibits duplicative recovery by multiple direct or indirect purchasers. See, e.g., N.Y. Gen. Bus. Law § 340(6) ("In actions where both direct and indirect purchasers are involved, a defendant shall be entitled to prove as a partial or complete defense to a claim for damages that the illegal overcharge has been passed on to others who are themselves entitled to recover so as to avoid duplication of recovery of damages."); *Clayworth v. Pfizer, Inc.*, 49 Cal. 4th 758, 787 (2010) (holding that under California law, "[i]n instances where multiple levels of purchasers have sued, or where a risk remains they may sue . . . if damages must be allocated among the various levels of injured purchasers, the bar on consideration of the pass-on evidence must necessarily be lifted . . ."); Haw. Rev. Stat. § 480-

13 (2011) (“In class actions or de facto class actions where both direct and indirect purchasers are involved, or where more than one class of indirect purchasers are involved, a defendant shall be entitled to prove as a partial or complete defense to a claim for compensatory damages that the illegal overcharge has been passed on or passed back to others who are themselves entitled to recover so as to avoid the duplication of recovery of compensatory damages.”); Neb. Rev. Stat. § 59-821.01 (2012) (“A defendant may prove, as a partial or complete defense to a claim for damages under sections 59-801 to 59-831 and this section, that the illegal overcharge or undercharge has been passed on to others who are themselves entitled to recover so as to avoid duplication of recovery of such damages”); N.D. Cent. Code § 51-08.1-08 (“In any action for damages under this section, any defendant, as a partial or complete defense against a claim for damages, is entitled to prove that the Plaintiffs purchaser, or seller in the chain of manufacture, production, or distribution, who paid any overcharge or received any underpayment passed on all or any part of the overcharge or underpayment to another purchaser or seller in that action.”).

INTERROGATORY RESPONSE AS TO IRICO’S THIRTY-SIXTH DEFENSE

To the extent any recovery by Plaintiffs or members of the putative class would be duplicative of recovery by other Plaintiffs and other lawsuits, subjecting [Group or Display] to the possibility of multiple recoveries, such recovery is barred by the Fifth and Eighth Amendments to the United States Constitution.

RESPONSE

Irico further objects to this interrogatory on the ground that it calls for a legal argument or legal conclusion. Irico also objects to this interrogatory on the grounds that it is premature at this stage in the proceedings as damages have not been awarded.

Subject to and without waiving the objections stated above, Irico states that a Plaintiffs who recovers damages from one co-conspirator, whether by verdict or settlement, may not recover those same damages again from another co-conspirator. *Zenith Radio Corp. v. Hazeltine Research, Inc.*, 401 U.S. 321, 348 (1971); *Seymour v. Summa Vista Cinema, Inc.*, 809 F.2d 1385, 1389 (9th Cir. 1987); *Husky Refining Co. v. Barnes*, 119 F.2d 715, 716 (9th Cir. 1941); *In re Piper Aircraft*, 792 F. Supp. 1189, 1190-91 (N.D. Cal. 1992). While Irico maintains that the

1 evidence does not prove that it conspired or entered into any agreements regarding the price of
2 CRTs in the United States market, or violated any of the laws set forth in Plaintiffs' Complaint, if
3 it were proven that Irico conspired or agreed to fix prices, as alleged, any recovery would need to
4 be reduced by settlements with other defendants in this or related matters.

5 Additionally, Irico states that applicable state law prohibits duplicative recovery by
6 multiple direct or indirect purchasers. See, e.g., N.Y. Gen. Bus. Law § 340(6) ("In actions where
7 both direct and indirect purchasers are involved, a defendant shall be entitled to prove as a partial
8 or complete defense to a claim for damages that the illegal overcharge has been passed on to
9 others who are themselves entitled to recover so as to avoid duplication of recovery of
10 damages."); *Clayworth v. Pfizer, Inc.*, 49 Cal. 4th 758, 787 (2010) (holding that under California
11 law, "[i]n instances where multiple levels of purchasers have sued, or where a risk remains they
12 may sue . . . if damages must be allocated among the various levels of injured purchasers, the bar
13 on consideration of the pass-on evidence must necessarily be lifted . . ."); Haw. Rev. Stat. § 480-
14 13 (2011) ("In class actions or de facto class actions where both direct and indirect purchasers are
15 involved, or where more than one class of indirect purchasers are involved, a defendant shall be
16 entitled to prove as a partial or complete defense to a claim for compensatory damages that the
17 illegal overcharge has been passed on or passed back to others who are themselves entitled to
18 recover so as to avoid the duplication of recovery of compensatory damages."); Neb. Rev. Stat. §
19 59-821.01 (2012) ("A defendant may prove, as a partial or complete defense to a claim for
20 damages under sections 59-801 to 59-831 and this section, that the illegal overcharge or
21 undercharge has been passed on to others who are themselves entitled to recover so as to avoid
22 duplication of recovery of such damages . . ."); N.D. Cent. Code § 51-08.1-08 ("In any action for
23 damages under this section, any defendant, as a partial or complete defense against a claim for
24 damages, is entitled to prove that the Plaintiffs purchaser, or seller in the chain of manufacture,
25 production, or distribution, who paid any overcharge or received any underpayment passed on all
26 or any part of the overcharge or underpayment to another purchaser or seller in that action.").

27
28

INTERROGATORY RESPONSE AS TO IRICO'S THIRTY-SEVENTH DEFENSE

Plaintiffs' claims are barred, in whole or in part, because Plaintiffs may not recover damages, if any, based on sales outside of the United States.

RESPONSE

Irico further objects that this Interrogatory is premature given that no Irico witnesses have been deposed relating to merits issues and expert analysis and disclosures have not yet begun. *See Young v. Regis Corp.*, No. C 10-02634 SI, 2011 WL 9558055 (N.D. Cal. May 19, 2011). Irico also objects to this interrogatory on the ground that it calls for a legal argument or legal conclusion.

Subject to and without waiving the objections stated above, Irico contends that Plaintiffs' claims are barred in whole or in part to the extent that they are based on sales outside of the United States. Irico contends that a certain unknown percentage of the CRTs contained within the CRT products that Plaintiffs purchased were purchased from other countries. This contention is based on the fact that Plaintiffs cannot identify which company manufactured the CRT within the relevant CRT products. In the absence of knowing who manufactured the CRTs within its products, Plaintiffs likewise cannot identify whether those CRTs were purchased from outside the United States. Whether the CRTs themselves were purchased outside of the United States is relevant in determining if Plaintiffs' claims are barred because Plaintiffs alleged that it was injured on account of a price fixing conspiracy regarding CRTs as opposed to CRT products.

Although not limited to the following, Irico relies on the following evidence to support that Plaintiffs' claims are barred to the extent that they are based on sales outside of the United States: Expert Report of Janusz A. Ordoover, Ph.D., (IPP Report), August 5, 2014; Expert Report of Robert D. Willig, August 5, 2014; Expert Report of Margaret E. Guerin-Calvert, August 5, 2014; and Expert Report of Prof. Dennis W. Carlton, August 5, 2014.

INTERROGATORY RESPONSE AS TO IRICO'S THIRTY-EIGHTH DEFENSE

Plaintiffs' claims should be dismissed because the alleged damages sought are too speculative and uncertain, and cannot be practicably ascertained or allocated.

RESPONSE

1 Irico further objects to this interrogatory on the ground that it calls for a legal argument or
 2 legal conclusion. Irico also objects to this interrogatory to the extent that it improperly tries to
 3 shift the pleading and evidentiary burden that Plaintiffs' alone carry to Irico.

4 Subject to and without waiving the objections stated above, Irico responds by stating that
 5 Plaintiffs' alleged damages are speculative and uncertain because Irico did not conspire or enter
 6 into any agreements regarding the price of CRTs in the United States market, and did not violate
 7 any of the laws set forth in Plaintiffs' Complaint.

8 Irico further states that because Plaintiffs seek to recover for purchases of CRT Products
 9 as indirect purchasers, Plaintiffs' alleged damages are inherently speculative and/or uncertain due
 10 to a number of factors – such as the cost of other components that collectively make up CRT
 11 Products – that would have influenced the price that Plaintiffs paid for a CRT Product. Any
 12 apportionment of damages in this case will be exceedingly complex given the multi-layered and
 13 complex distribution, manufacturing and retail channels that existed in the market. Indeed, the
 14 different layers between Plaintiffs' allegations of injury and any alleged constraints in the CRT
 15 market inject levels of uncertainty in the price ultimately paid by the consumer for the
 16 downstream product, even if Plaintiffs could prove up an alleged overcharge for one component
 17 therein. See, e.g., Expert Report of Janusz A. Ordovery, Ph.D., August 5, 2014 at 7–9; see also
 18 Defs.' Mem. in Opp'n to Mot. of Plaintiffs for Class Certification 12–13, ECF No. 1538; Decl. of
 19 Dr. Janet S. Netz 29–33, ECF No. 1527; Decl. of Robert D. Willig ¶¶ 120–21, ECF No. 1615.
 20 Irico further states that the testimony of numerous retailers – that they did not uniformly pass
 21 through any price increases in CRT Products to consumers – makes the proof of such injury to
 22 specific class members inherently speculative. See, e.g., Stone Dep. Tr. at 117:4-22, 167:21-
 23 169:1; Office Depot Dep. Tr. at 147:16-148:7; Interbond 30(b)(6) Dep. Tr. at 287:13-20; Fields
 24 Dep. Tr. at 125:12-126:3; Fry's 30(b)(6) Dep. Tr. at 182:6-184:10; TigerDirect 30(b)(6) Dep. Tr.
 25 at 114:5-115:13.

26 **INTERROGATORY RESPONSE AS TO IRICO'S THIRTY-NINTH DEFENSE**

27 Any award of restitution or monetary recovery pursuant to California Business and
 28 Professions §§ 17200, et seq. would constitute a taking of property without just compensation in

1 violation of the Takings Clause of the U.S. Constitution and of Article 1, Section 19 of the
2 California Constitution.

3 **RESPONSE**

4 Irico further objects to this interrogatory on the ground that it calls for a legal argument or
5 legal conclusion. Irico also objects to this interrogatory on the grounds that it is premature at this
6 stage in the proceedings as damages have not been awarded.

7 **INTERROGATORY RESPONSE AS TO IRICO'S FORTIETH DEFENSE**

8 Plaintiffs' claims are barred, in whole or in part, to the extent Plaintiffs have failed to plead
9 special damages with specificity as required by the laws of the various States cited.

10 **RESPONSE**

11 Irico further objects to this interrogatory on the ground that it calls for a legal argument or
12 legal conclusion. Irico also objects to this interrogatory to the extent that it improperly tries to
13 shift the pleading and evidentiary burden that Plaintiffs alone carry to Irico.

14 **INTERROGATORY RESPONSE AS TO IRICO'S FORTY-FIRST DEFENSE**

15 Plaintiffs' claims should be dismissed to the extent they are barred, in whole or in part,
16 because any injury or damage alleged in the Complaint was not incurred by or passed on to
17 Plaintiffs, or was incurred by or passed on to persons or entities other than Plaintiffs.

18 **RESPONSE**

19 Irico further objects that this Interrogatory is premature given that no Irico witnesses have
20 been deposed relating to merits issues and expert analysis and disclosures have not yet begun. *See*
21 *Young v. Regis Corp.*, No. C 10-02634 SI, 2011 WL 9558055 (N.D. Cal. May 19, 2011). Irico
22 also objects to this interrogatory on the ground that it calls for a legal argument or legal
23 conclusion. Irico further objects to this interrogatory to the extent that it improperly tries to shift
24 the pleading and evidentiary burden that Plaintiffs alone carry to Irico.

25 Subject to and without waiving the objections stated above, Irico states that Plaintiffs have
26 not come forward with a reliable methodology to prove the existence of the amount, if any, of
27 pass-through injury to all members of the class, and expressly incorporates by reference the
28 information contained in the Expert Report of Janusz A. Ordovery, Ph.D., August 5, 2014 (IPP

1 Action) at 14-36, and the Expert Report of Janusz A. Ordovery, Ph.D., August 5, 2014 (Various
2 DAP Actions) at 14-30.

3 Irico further states that numerous retailers have testified that they did not uniformly pass
4 through any price increases in CRT Products to consumers, and this evidence further
5 demonstrates that Plaintiffs have not and cannot show which members, if any, of the indirect
6 purchaser class have suffered any alleged injury. See, e.g., Deposition Tr. of Brian Stone, Dec. 3,
7 2012 (“Stone Dep. Tr.”), at 117:4-22 (“Cost increases that a manufacturer is intending to push
8 across may not be reflected in the overall pricing for the end consumer based upon Best Buy’s
9 company’s strategy, intent of that product category, the product availability, and the overall
10 competitive nature of the . . . space.”); id. at 167:21-169:1 (“There could be instances where due
11 to competitive pricing forces costs could go up, but retail pricing may not be able to go up based
12 upon in-country availability of products, competitive forces, seasonality.”); Deposition Tr. of
13 Randall Wick, July 24, 2014 (“Wick Dep. Tr.”), at 147:16-148:7 (“[W]e will look at the market,
14 we will look at what’s in the market, look at the competitive intelligence of what people are
15 carrying, what they are selling production for, what’s in our current assortment, what we’re
16 charging for that, and in most cases you cannot increase and pass, the customers just won’t buy it
17 because it will be overpriced.”); Rule 30(b)(6) Deposition Tr. of Interbond Corp. of America,
18 d/b/a Brandsmart USA (through witness Larry Sinewitz), Feb. 6, 2014 (“Interbond 30(b)(6) Dep.
19 Tr.”), at 287:13-20; Deposition Tr. of Aimee Fields, June 4, 2014 (“Fields Dep. Tr.”), at 125:12-
20 126:3; Rule 30(b)(6) Deposition Tr. of Fry’s Electronics (through witness Raj Seth) (rough
21 transcript), Aug. 27, 2014 (“Fry’s 30(b)(6) Dep. Tr.”), at 182:6-184:10; Rule 30(b)(6) Deposition
22 Tr. of TigerDirect, Inc. (through witness George Ali) (rough transcript), Aug. 28, 2014
23 (“TigerDirect 30(b)(6) Dep. Tr.”), at 114:5-115:13.

24 **INTERROGATORY NO. 8**

25 If Your response to any of the IPPs’ Requests for Admissions served concurrently
26 herewith is anything other than an unqualified admission:

- 27 a. State all facts supporting Your denial;
- 28 b. Identify each Person who provided facts relating to Your response;

c. Identify each Document You consulted to formulate Your response

RESPONSE TO INTERROGATORY NO. 8

Irico reasserts and incorporates each of the General Objections and Objections to the Definitions and Instructions set forth above. Irigo also reasserts and incorporates each of the General Objections, Objections to the Definitions and Instructions, and objections in each of its Specific Responses to Requests for Admission as set forth in Irigo Defendants' Objections and Responses to Indirect Purchaser Plaintiffs' First Set of Requests for Admission, served herewith. Irigo further objects to this interrogatory as overbroad and unduly burdensome, as Plaintiffs has not demonstrated how the benefit of such information outweighs the significant burden to Irigo of responding to each denial of the 119 RFAs (including subparts) propounded by Plaintiffs.

Subject to and without waiving the foregoing objections, Irigo responds as follows:

RESPONSE RE: REQUEST FOR ADMISSION NO. 1A

Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks information that is maintained by and equally available to Plaintiffs or stated in publicly available documents. Irigo also objects to this Interrogatory on the grounds that it calls for a legal argument or legal conclusion. Irigo further objects to the use of the terms "unqualified" and "supporting" because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irigo also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden that Plaintiffs alone carry to Irigo. Irigo further objects to this Interrogatory as it requests Irigo to provide facts and evidence of events that did not take place.

Subject to and without waiving its foregoing objections, Irigo responds that this email address was not used by an Irigo employee during the course of their employment with Irigo, nor was the email domain "@irico.com.cn" maintained by Irigo during the Relevant Period. Irigo issued and maintained email addresses with the domain @ch.com.cn during the Relevant Period. Irigo understands that this email domain (@irico.com.cn) was used by another company, China National Electronics Import & Export Caihong Co. ("CNEIECC"), which was an independent

1 company that was not owned or controlled by Irico during the Relevant Period.

2 **RESPONSE RE: REQUEST FOR ADMISSION NO. 1B**

3 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
4 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
5 information that is maintained by and equally available to Plaintiffs or stated in publicly available
6 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
7 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
8 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
9 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
10 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
11 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
12 provide facts and evidence of events that did not take place.

13 Subject to and without waiving its foregoing objections, Irico responds that this email
14 address was not maintained by Irico during the Relevant Period. Irico issued and maintained
15 email addresses with the domain @ch.com.cn during the Relevant Period. Irico did not authorize
16 its employees to use non-Irico email addresses to conduct business, and Irico did not control this
17 email address in any way. Based on the foregoing, Irico cannot confirm that this email address
18 was used by an Irico “officer or employee.”

19 **RESPONSE RE: REQUEST FOR ADMISSION NO. 1C**

20 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
21 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
22 information that is maintained by and equally available to Plaintiffs or stated in publicly available
23 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
24 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
25 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
26 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
27 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
28 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to

1 provide facts and evidence of events that did not take place.

2 Subject to and without waiving its foregoing objections, Irico responds that this email
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4 email addresses with the domain @ch.com.cn during the Relevant Period. Irico did not authorize
5 its employees to use non-Irico email addresses to conduct business, and Irico did not control this
6 email address in any way. Based on the foregoing, Irico cannot confirm that this email address
7 was used by an Irico “officer or employee.”

8 **RESPONSE RE: REQUEST FOR ADMISSION NO. 1D**

9 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
10 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
11 information that is maintained by and equally available to Plaintiffs or stated in publicly available
12 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
13 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
14 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
15 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
16 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
17 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
18 provide facts and evidence of events that did not take place.

19 Subject to and without waiving its foregoing objections, Irico responds that this email
20 address was not maintained by Irico during the Relevant Period. Irico issued and maintained
21 email addresses with the domain @ch.com.cn during the Relevant Period. Irico did not authorize
22 its employees to use non-Irico email addresses to conduct business, and Irico did not control this
23 email address in any way. Based on the foregoing, Irico cannot confirm that this email address
24 was used by an Irico “officer or employee.”

25 **RESPONSE RE: REQUEST FOR ADMISSION NO. 1E**

26 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
27 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
28 information that is maintained by and equally available to Plaintiffs or stated in publicly available

1 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
2 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
3 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
4 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
5 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
6 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
7 provide facts and evidence of events that did not take place.

8 Subject to and without waiving its foregoing objections, Irico responds that this email
9 address was not used by an Irico employee during the course of their employment with Irico, nor
10 was the email domain “@irico.com.cn” maintained by Irico during the Relevant Period. Irico
11 issued and maintained email addresses with the domain @ch.com.cn during the Relevant Period.
12 Irico understands that this email domain (@irico.com.cn) was used by another company, China
13 National Electronics Import & Export Caihong Co. (“CNEIECC”), which was an independent
14 company that was not owned or controlled by Irico during the Relevant Period.

15 **RESPONSE RE: REQUEST FOR ADMISSION NO. 1F**

16 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
17 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
18 information that is maintained by and equally available to Plaintiffs or stated in publicly available
19 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
20 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
21 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
22 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
23 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
24 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
25 provide facts and evidence of events that did not take place.

26 Subject to and without waiving its foregoing objections, Irico responds that this email
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1 issued and maintained email addresses with the domain @ch.com.cn during the Relevant Period.
 2 Irico understands that this email domain (@irico.com.cn) was used by another company, China
 3 National Electronics Import & Export Caihong Co. (“CNEIECC”), which was an independent
 4 company that was not owned or controlled by Irico during the Relevant Period.

5 **RESPONSE RE: REQUEST FOR ADMISSION NO. 1G**

6 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
 7 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
 8 information that is maintained by and equally available to Plaintiffs or stated in publicly available
 9 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
 10 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
 11 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
 12 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
 13 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
 14 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
 15 provide facts and evidence of events that did not take place.

16 Subject to and without waiving the objections stated above, Irico refers Plaintiffs to its
 17 response to Request for Admission No. 1G, which contains a complete basis for its response to
 18 this Interrogatory.

19 **RESPONSE RE: REQUEST FOR ADMISSION NO. 1H**

20 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
 21 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
 22 information that is maintained by and equally available to Plaintiffs or stated in publicly available
 23 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
 24 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
 25 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
 26 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
 27 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
 28 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to

1 provide facts and evidence of events that did not take place.

2 Subject to and without waiving the objections stated above, Irico refers Plaintiffs to its
3 response to Request for Admission No. 1H, which contains a complete basis for its response to
4 this Interrogatory.

5 **RESPONSE RE: REQUEST FOR ADMISSION NO. 1J**

6 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
7 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
8 information that is maintained by and equally available to Plaintiffs or stated in publicly available
9 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
10 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
11 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
12 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
13 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
14 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
15 provide facts and evidence of events that did not take place.

16 Subject to and without waiving the objections stated above, Irico refers Plaintiffs to its
17 response to Request for Admission No. 1J, which contains a complete basis for its response to this
18 Interrogatory.

19 **RESPONSE RE: REQUEST FOR ADMISSION NO. 1K**

20 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
21 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
22 information that is maintained by and equally available to Plaintiffs or stated in publicly available
23 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
24 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
25 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
26 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
27 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
28 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to

1 provide facts and evidence of events that did not take place.

2 Subject to and without waiving the objections stated above, Irico refers Plaintiffs to its
3 response to Request for Admission No. 1K, which contains a complete basis for its response to
4 this Interrogatory.

5 **RESPONSE RE: REQUEST FOR ADMISSION NO. 1L**

6 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
7 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
8 information that is maintained by and equally available to Plaintiffs or stated in publicly available
9 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
10 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
11 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
12 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
13 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
14 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
15 provide facts and evidence of events that did not take place.

16 Subject to and without waiving the objections stated above, Irico refers Plaintiffs to its
17 response to Request for Admission No. 1L, which contains a complete basis for its response to
18 this Interrogatory.

19 **RESPONSE RE: REQUEST FOR ADMISSION NO. 1M**

20 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
21 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
22 information that is maintained by and equally available to Plaintiffs or stated in publicly available
23 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
24 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
25 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
26 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
27 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
28 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to

1 provide facts and evidence of events that did not take place.

2 Subject to and without waiving its foregoing objections, Irico responds that this email
3 address was not used by an Irico employee during the course of their employment with Irico, nor
4 was the email domain “@irico.com.cn” maintained by Irico during the Relevant Period. Irico
5 issued and maintained email addresses with the domain @ch.com.cn during the Relevant Period.
6 Irico understands that this email domain (@irico.com.cn) was used by another company, China
7 National Electronics Import & Export Caihong Co. (“CNEIECC”), which was an independent
8 company that was not owned or controlled by Irico during the Relevant Period.

9 **RESPONSE RE: REQUEST FOR ADMISSION NO. 1N**

10 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
11 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
12 information that is maintained by and equally available to Plaintiffs or stated in publicly available
13 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
14 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
15 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
16 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
17 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
18 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
19 provide facts and evidence of events that did not take place.

20 Subject to and without waiving its foregoing objections, Irico responds that this email
21 address was not used by an Irico employee during the course of their employment with Irico, nor
22 was the email domain “@irico.com.cn” maintained by Irico during the Relevant Period. Irico
23 issued and maintained email addresses with the domain @ch.com.cn during the Relevant Period.
24 Irico understands that this email domain (@irico.com.cn) was used by another company, China
25 National Electronics Import & Export Caihong Co. (“CNEIECC”), which was an independent
26 company that was not owned or controlled by Irico during the Relevant Period.

27 **RESPONSE RE: REQUEST FOR ADMISSION NO. 1P**

28 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly

1 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
 2 information that is maintained by and equally available to Plaintiffs or stated in publicly available
 3 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
 4 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
 5 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
 6 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
 7 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
 8 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
 9 provide facts and evidence of events that did not take place.

10 Subject to and without waiving the objections stated above, Irico refers Plaintiffs to its
 11 response to Request for Admission No. 1P, which contains a complete basis for its response to
 12 this Interrogatory.

13 **RESPONSE RE: REQUEST FOR ADMISSION NO. 1Q**

14 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
 15 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
 16 information that is maintained by and equally available to Plaintiffs or stated in publicly available
 17 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
 18 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
 19 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
 20 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
 21 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
 22 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
 23 provide facts and evidence of events that did not take place.

24 Subject to and without waiving its foregoing objections, Irico responds that this email
 25 address was not used by an Irico employee during the course of their employment with Irico, nor
 26 was the email domain “@irico.com.cn” maintained by Irico during the Relevant Period. Irico
 27 issued and maintained email addresses with the domain @ch.com.cn during the Relevant Period.
 28 Irico understands that this email domain (@irico.com.cn) was used by another company, China

1 National Electronics Import & Export Caihong Co. (“CNEIECC”), which was an independent
2 company that was not owned or controlled by Irico during the Relevant Period.

3 **RESPONSE RE: REQUEST FOR ADMISSION NO. 1T**

4 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
5 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
6 information that is maintained by and equally available to Plaintiffs or stated in publicly available
7 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
8 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
9 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
10 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
11 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
12 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
13 provide facts and evidence of events that did not take place.

14 Subject to and without waiving the objections stated above, Irico refers Plaintiffs to its
15 response to Request for Admission No. 1T, which contains a complete basis for its response to
16 this Interrogatory.

17 **RESPONSE RE: REQUEST FOR ADMISSION NO. 1U**

18 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
19 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
20 information that is maintained by and equally available to Plaintiffs or stated in publicly available
21 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
22 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
23 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
24 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
25 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
26 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
27 provide facts and evidence of events that did not take place.

28 Subject to and without waiving the objections stated above, Irico refers Plaintiffs to its

1 response to Request for Admission No. 1U, which contains a complete basis for its response to
2 this Interrogatory.

3 **RESPONSE RE: REQUEST FOR ADMISSION NO. 1V**

4 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
5 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
6 information that is maintained by and equally available to Plaintiffs or stated in publicly available
7 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
8 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
9 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
10 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
11 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
12 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
13 provide facts and evidence of events that did not take place.

14 Subject to and without waiving its foregoing objections, Irico responds that this email
15 address was not used by an Irico employee during the course of their employment with Irico, nor
16 was the email domain “@irico.com.cn” maintained by Irico during the Relevant Period. Irico
17 issued and maintained email addresses with the domain @ch.com.cn during the Relevant Period.
18 Irico understands that this email domain (@irico.com.cn) was used by another company, China
19 National Electronics Import & Export Caihong Co. (“CNEIECC”), which was an independent
20 company that was not owned or controlled by Irico during the Relevant Period.

21 **RESPONSE RE: REQUEST FOR ADMISSION NO. 1X**

22 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
23 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
24 information that is maintained by and equally available to Plaintiffs or stated in publicly available
25 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
26 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
27 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
28 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico

1 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
 2 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
 3 provide facts and evidence of events that did not take place.

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 5 address was not used by an Irico employee during the course of their employment with Irico, nor
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 8 Irico understands that this email domain (@irico.com.cn) was used by another company, China
 9 National Electronics Import & Export Caihong Co. (“CNEIECC”), which was an independent
 10 company that was not owned or controlled by Irico during the Relevant Period.

11 **RESPONSE RE: REQUEST FOR ADMISSION NO. 1Y**

12 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
 13 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
 14 information that is maintained by and equally available to Plaintiffs or stated in publicly available
 15 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
 16 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
 17 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
 18 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
 19 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
 20 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
 21 provide facts and evidence of events that did not take place.

22 Subject to and without waiving the objections stated above, Irico refers Plaintiffs to its
 23 response to Request for Admission No. 1Y, which contains a complete basis for its response to
 24 this Interrogatory.

25 **RESPONSE RE: REQUEST FOR ADMISSION NO. 1AA**

26 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
 27 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
 28 information that is maintained by and equally available to Plaintiffs or stated in publicly available

1 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
2 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
3 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
4 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
5 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
6 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
7 provide facts and evidence of events that did not take place.

8 Subject to and without waiving the objections stated above, Irico refers Plaintiffs to its
9 response to Request for Admission No. 1AA, which contains a complete basis for its response to
10 this Interrogatory.

11 **RESPONSE RE: REQUEST FOR ADMISSION NO. 1BB**

12 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
13 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
14 information that is maintained by and equally available to Plaintiffs or stated in publicly available
15 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
16 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
17 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
18 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
19 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
20 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
21 provide facts and evidence of events that did not take place.

22 Subject to and without waiving the objections stated above, Irico refers Plaintiffs to its
23 response to Request for Admission No. 1BB, which contains a complete basis for its response to
24 this Interrogatory.

25 **RESPONSE RE: REQUEST FOR ADMISSION NO. 2A**

26 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
27 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
28 information that is maintained by and equally available to Plaintiffs or stated in publicly available

1 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
2 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
3 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
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12 Irico understands that this email domain (@irico.com.cn) was used by another company, China
13 National Electronics Import & Export Caihong Co. (“CNEIECC”), which was an independent
14 company that was not owned or controlled by Irico during the Relevant Period.

15 **RESPONSE RE: REQUEST FOR ADMISSION NO. 2B**

16 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
17 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
18 information that is maintained by and equally available to Plaintiffs or stated in publicly available
19 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
20 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
21 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
22 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
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28 email addresses with the domain @ch.com.cn during the Relevant Period. Irico did not authorize

1 its employees to use non-Irico email addresses to conduct business, and Irico did not control this
2 email address in any way. Based on the foregoing, Irico cannot confirm that this email address
3 was used by an Irico “officer or employee.”

4 **RESPONSE RE: REQUEST FOR ADMISSION NO. 2C**

5 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
6 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
7 information that is maintained by and equally available to Plaintiffs or stated in publicly available
8 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
9 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
10 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
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18 its employees to use non-Irico email addresses to conduct business, and Irico did not control this
19 email address in any way. Based on the foregoing, Irico cannot confirm that this email address
20 was used by an Irico “officer or employee.”

21 **RESPONSE RE: REQUEST FOR ADMISSION NO. 2D**

22 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
23 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
24 information that is maintained by and equally available to Plaintiffs or stated in publicly available
25 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
26 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
27 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
28 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico

1 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
2 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
3 provide facts and evidence of events that did not take place.

4 Subject to and without waiving its foregoing objections, Irico responds that this email
5 address was not maintained by Irico during the Relevant Period. Irico issued and maintained
6 email addresses with the domain @ch.com.cn during the Relevant Period. Irico did not authorize
7 its employees to use non-Irico email addresses to conduct business, and Irico did not control this
8 email address in any way. Based on the foregoing, Irico cannot confirm that this email address
9 was used by an Irico “officer or employee.”

10 **RESPONSE RE: REQUEST FOR ADMISSION NO. 2E**

11 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
12 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
13 information that is maintained by and equally available to Plaintiffs or stated in publicly available
14 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
15 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
16 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
17 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
18 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
19 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
20 provide facts and evidence of events that did not take place.

21 Subject to and without waiving its foregoing objections, Irico responds that this email
22 address was not used by an Irico employee during the course of their employment with Irico, nor
23 was the email domain “@irico.com.cn” maintained by Irico during the Relevant Period. Irico
24 issued and maintained email addresses with the domain @ch.com.cn during the Relevant Period.
25 Irico understands that this email domain (@irico.com.cn) was used by another company, China
26 National Electronics Import & Export Caihong Co. (“CNEIECC”), which was an independent
27 company that was not owned or controlled by Irico during the Relevant Period.

28 **RESPONSE RE: REQUEST FOR ADMISSION NO. 2F**

1 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
2 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
3 information that is maintained by and equally available to Plaintiffs or stated in publicly available
4 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
5 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
6 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
7 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
8 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
9 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
10 provide facts and evidence of events that did not take place.

11 Subject to and without waiving its foregoing objections, Irico responds that this email
12 address was not used by an Irico employee during the course of their employment with Irico, nor
13 was the email domain “@irico.com.cn” maintained by Irico during the Relevant Period. Irico
14 issued and maintained email addresses with the domain @ch.com.cn during the Relevant Period.
15 Irico understands that this email domain (@irico.com.cn) was used by another company, China
16 National Electronics Import & Export Caihong Co. (“CNEIECC”), which was an independent
17 company that was not owned or controlled by Irico during the Relevant Period.

18 **RESPONSE RE: REQUEST FOR ADMISSION NO. 2G**

19 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
20 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
21 information that is maintained by and equally available to Plaintiffs or stated in publicly available
22 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
23 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
24 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
25 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
26 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
27 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
28 provide facts and evidence of events that did not take place.

1 Subject to and without waiving the objections stated above, Irico refers Plaintiffs to its
2 response to Request for Admission No. 2G, which contains a complete basis for its response to
3 this Interrogatory.

4 **RESPONSE RE: REQUEST FOR ADMISSION NO. 2H**

5 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
6 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
7 information that is maintained by and equally available to Plaintiffs or stated in publicly available
8 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
9 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
10 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
11 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
12 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
13 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
14 provide facts and evidence of events that did not take place.

15 Subject to and without waiving the objections stated above, Irico refers Plaintiffs to its
16 response to Request for Admission No. 2H, which contains a complete basis for its response to
17 this Interrogatory.

18 **RESPONSE RE: REQUEST FOR ADMISSION NO. 2J**

19 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
20 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
21 information that is maintained by and equally available to Plaintiffs or stated in publicly available
22 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
23 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
24 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
25 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
26 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
27 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
28 provide facts and evidence of events that did not take place.

1 Subject to and without waiving the objections stated above, Irico refers Plaintiffs to its
2 response to Request for Admission No. 2J, which contains a complete basis for its response to this
3 Interrogatory.

4 **RESPONSE RE: REQUEST FOR ADMISSION NO. 2K**

5 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
6 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
7 information that is maintained by and equally available to Plaintiffs or stated in publicly available
8 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
9 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
10 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
11 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
12 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
13 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
14 provide facts and evidence of events that did not take place.

15 Subject to and without waiving the objections stated above, Irico refers Plaintiffs to its
16 response to Request for Admission No. 2K, which contains a complete basis for its response to
17 this Interrogatory.

18 **RESPONSE RE: REQUEST FOR ADMISSION NO. 2L**

19 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
20 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
21 information that is maintained by and equally available to Plaintiffs or stated in publicly available
22 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
23 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
24 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
25 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
26 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
27 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
28 provide facts and evidence of events that did not take place.

1 Subject to and without waiving the objections stated above, Irico refers Plaintiffs to its
 2 response to Request for Admission No. 2L, which contains a complete basis for its response to
 3 this Interrogatory.

4 **RESPONSE RE: REQUEST FOR ADMISSION NO. 2M**

5 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
 6 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
 7 information that is maintained by and equally available to Plaintiffs or stated in publicly available
 8 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
 9 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
 10 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
 11 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
 12 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
 13 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
 14 provide facts and evidence of events that did not take place.

15 Subject to and without waiving its foregoing objections, Irico responds that this email
 16 address was not used by an Irico employee during the course of their employment with Irico, nor
 17 was the email domain “@irico.com.cn” maintained by Irico during the Relevant Period. Irico
 18 issued and maintained email addresses with the domain @ch.com.cn during the Relevant Period.
 19 Irico understands that this email domain (@irico.com.cn) was used by another company, China
 20 National Electronics Import & Export Caihong Co. (“CNEIECC”), which was an independent
 21 company that was not owned or controlled by Irico during the Relevant Period.

22 **RESPONSE RE: REQUEST FOR ADMISSION NO. 2N**

23 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
 24 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
 25 information that is maintained by and equally available to Plaintiffs or stated in publicly available
 26 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
 27 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
 28 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly

1 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
2 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
3 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
4 provide facts and evidence of events that did not take place.

5 Subject to and without waiving its foregoing objections, Irico responds that this email
6 address was not used by an Irico employee during the course of their employment with Irico, nor
7 was the email domain “@irico.com.cn” maintained by Irico during the Relevant Period. Irico
8 issued and maintained email addresses with the domain @ch.com.cn during the Relevant Period.
9 Irico understands that this email domain (@irico.com.cn) was used by another company, China
10 National Electronics Import & Export Caihong Co. (“CNEIECC”), which was an independent
11 company that was not owned or controlled by Irico during the Relevant Period.

12 **RESPONSE RE: REQUEST FOR ADMISSION NO. 2P**

13 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
14 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
15 information that is maintained by and equally available to Plaintiffs or stated in publicly available
16 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
17 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
18 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
19 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
20 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
21 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
22 provide facts and evidence of events that did not take place.

23 Subject to and without waiving the objections stated above, Irico refers Plaintiffs to its
24 response to Request for Admission No. 2P, which contains a complete basis for its response to
25 this Interrogatory.

26 **RESPONSE RE: REQUEST FOR ADMISSION NO. 2Q**

27 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
28 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks

1 information that is maintained by and equally available to Plaintiffs or stated in publicly available
2 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
3 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
4 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
5 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
6 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
7 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
8 provide facts and evidence of events that did not take place.

9 Subject to and without waiving its foregoing objections, Irico responds that this email
10 address was not used by an Irico employee during the course of their employment with Irico, nor
11 was the email domain “@irico.com.cn” maintained by Irico during the Relevant Period. Irico
12 issued and maintained email addresses with the domain @ch.com.cn during the Relevant Period.
13 Irico understands that this email domain (@irico.com.cn) was used by another company, China
14 National Electronics Import & Export Caihong Co. (“CNEIECC”), which was an independent
15 company that was not owned or controlled by Irico during the Relevant Period.

16 **RESPONSE RE: REQUEST FOR ADMISSION NO. 2R**

17 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
18 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
19 information that is maintained by and equally available to Plaintiffs or stated in publicly available
20 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
21 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
22 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
23 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
24 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
25 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
26 provide facts and evidence of events that did not take place.

27 Subject to and without waiving the objections stated above, Irico refers Plaintiffs to its
28 response to Request for Admission No. 2R, which contains a complete basis for its response to

1 this Interrogatory.

2 **RESPONSE RE: REQUEST FOR ADMISSION NO. 2T**

3 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
4 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
5 information that is maintained by and equally available to Plaintiffs or stated in publicly available
6 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
7 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
8 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
9 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
10 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
11 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
12 provide facts and evidence of events that did not take place.

13 Subject to and without waiving the objections stated above, Irico refers Plaintiffs to its
14 response to Request for Admission No. 2T, which contains a complete basis for its response to
15 this Interrogatory.

16 **RESPONSE RE: REQUEST FOR ADMISSION NO. 2U**

17 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
18 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
19 information that is maintained by and equally available to Plaintiffs or stated in publicly available
20 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
21 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
22 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
23 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
24 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
25 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
26 provide facts and evidence of events that did not take place.

27 Subject to and without waiving the objections stated above, Irico refers Plaintiffs to its
28 response to Request for Admission No. 2U, which contains a complete basis for its response to

1 this Interrogatory.

2 **RESPONSE RE: REQUEST FOR ADMISSION NO. 2V**

3 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
 4 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
 5 information that is maintained by and equally available to Plaintiffs or stated in publicly available
 6 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
 7 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
 8 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
 9 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
 10 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
 11 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
 12 provide facts and evidence of events that did not take place.

13 Subject to and without waiving its foregoing objections, Irico responds that this email
 14 address was not used by an Irico employee during the course of their employment with Irico, nor
 15 was the email domain “@irico.com.cn” maintained by Irico during the Relevant Period. Irico
 16 issued and maintained email addresses with the domain @ch.com.cn during the Relevant Period.
 17 Irico understands that this email domain (@irico.com.cn) was used by another company, China
 18 National Electronics Import & Export Caihong Co. (“CNEIECC”), which was an independent
 19 company that was not owned or controlled by Irico during the Relevant Period.

20 **RESPONSE RE: REQUEST FOR ADMISSION NO. 2X**

21 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
 22 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
 23 information that is maintained by and equally available to Plaintiffs or stated in publicly available
 24 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
 25 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
 26 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
 27 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
 28 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden

1 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
2 provide facts and evidence of events that did not take place.

3 Subject to and without waiving its foregoing objections, Irico responds that this email
4 address was not used by an Irico employee during the course of their employment with Irico, nor
5 was the email domain “@irico.com.cn” maintained by Irico during the Relevant Period. Irico
6 issued and maintained email addresses with the domain @ch.com.cn during the Relevant Period.
7 Irico understands that this email domain (@irico.com.cn) was used by another company, China
8 National Electronics Import & Export Caihong Co. (“CNEIECC”), which was an independent
9 company that was not owned or controlled by Irico during the Relevant Period.

10 **RESPONSE RE: REQUEST FOR ADMISSION NO. 2Y**

11 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
12 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
13 information that is maintained by and equally available to Plaintiffs or stated in publicly available
14 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
15 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
16 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
17 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
18 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
19 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
20 provide facts and evidence of events that did not take place.

21 Subject to and without waiving the objections stated above, Irico refers Plaintiffs to its
22 response to Request for Admission No. 2Y, which contains a complete basis for its response to
23 this Interrogatory.

24 **RESPONSE RE: REQUEST FOR ADMISSION NO. 2AA**

25 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
26 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
27 information that is maintained by and equally available to Plaintiffs or stated in publicly available
28 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument

1 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
 2 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
 3 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
 4 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
 5 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
 6 provide facts and evidence of events that did not take place.

7 Subject to and without waiving the objections stated above, Irico refers Plaintiffs to its
 8 response to Request for Admission No. 2AA, which contains a complete basis for its response to
 9 this Interrogatory.

10 **RESPONSE RE: REQUEST FOR ADMISSION NO. 2B**

11 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
 12 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
 13 information that is maintained by and equally available to Plaintiffs or stated in publicly available
 14 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
 15 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
 16 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
 17 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
 18 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
 19 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
 20 provide facts and evidence of events that did not take place.

21 Subject to and without waiving the objections stated above, Irico refers Plaintiffs to its
 22 response to Request for Admission No. 2B, which contains a complete basis for its response to
 23 this Interrogatory.

24 **RESPONSE RE: REQUEST FOR ADMISSION NO. 5A**

25 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
 26 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
 27 information that is maintained by and equally available to Plaintiffs or stated in publicly available
 28 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument

1 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
2 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
3 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
4 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
5 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
6 provide facts and evidence of events that did not take place.

7 Subject to and without waiving its foregoing objections, Irico responds that this business
8 card was not used by an Irico employee during the course of their employment with Irico during
9 the Relevant Period. These business cards appear to have been issued by another company, China
10 National Electronics Import & Export Caihong Co. (“CNEIECC”), which was an independent
11 company that was not owned or controlled by Irico during the Relevant Period.

12 **RESPONSE RE: REQUEST FOR ADMISSION NO. 5B**

13 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
14 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
15 information that is maintained by and equally available to Plaintiffs or stated in publicly available
16 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
17 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
18 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
19 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
20 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
21 that Plaintiffs alone carry to Irico.

22 Subject to and without waiving the objections stated above, Irico refers Plaintiffs to its
23 response to Request for Admission No. 5B, which contains a complete basis for its response to
24 this Interrogatory.

25 **RESPONSE RE: REQUEST FOR ADMISSION NO. 5C**

26 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
27 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
28 information that is maintained by and equally available to Plaintiffs or stated in publicly available

1 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
2 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
3 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
4 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
5 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
6 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
7 provide facts and evidence of events that did not take place.

8 Subject to and without waiving its foregoing objections, Irico responds that this business
9 card was not used by an Irico employee during the course of their employment with Irico during
10 the Relevant Period. These business cards appear to have been issued by another company, China
11 National Electronics Import & Export Caihong Co. (“CNEIECC”), which was an independent
12 company that was not owned or controlled by Irico during the Relevant Period.

13 **RESPONSE RE: REQUEST FOR ADMISSION NO. 5D**

14 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
15 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
16 information that is maintained by and equally available to Plaintiffs or stated in publicly available
17 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
18 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
19 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
20 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
21 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
22 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
23 provide facts and evidence of events that did not take place.

24 Subject to and without waiving its foregoing objections, Irico responds that this business
25 card was not used by an Irico employee during the course of their employment with Irico during
26 the Relevant Period. These business cards appear to have been issued by another company, China
27 National Electronics Import & Export Caihong Co. (“CNEIECC”), which was an independent
28 company that was not owned or controlled by Irico during the Relevant Period.

RESPONSE RE: REQUEST FOR ADMISSION NO. 6A

Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks information that is maintained by and equally available to Plaintiffs or stated in publicly available documents. Irigo also objects to this Interrogatory on the grounds that it calls for a legal argument or legal conclusion. Irigo further objects to the use of the terms “unqualified” and “supporting” because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irigo also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden that Plaintiffs alone carry to Irigo. Irigo further objects to this Interrogatory as it requests Irigo to provide facts and evidence of events that did not take place.

Subject to and without waiving its foregoing objections, Irigo responds that this business card was not used by an Irigo employee during the course of their employment with Irigo during the Relevant Period. These business cards appear to have been issued by another company, China National Electronics Import & Export Caihong Co. (“CNEIECC”), which was an independent company that was not owned or controlled by Irigo during the Relevant Period.

RESPONSE RE: REQUEST FOR ADMISSION NO. 6C

Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks information that is maintained by and equally available to Plaintiffs or stated in publicly available documents. Irigo also objects to this Interrogatory on the grounds that it calls for a legal argument or legal conclusion. Irigo further objects to the use of the terms “unqualified” and “supporting” because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irigo also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden that Plaintiffs alone carry to Irigo. Irigo further objects to this Interrogatory as it requests Irigo to provide facts and evidence of events that did not take place.

Subject to and without waiving its foregoing objections, Irigo responds that this business

1 card was not used by an Irico employee during the course of their employment with Irico during
2 the Relevant Period. These business cards appear to have been issued by another company, China
3 National Electronics Import & Export Caihong Co. (“CNEIECC”), which was an independent
4 company that was not owned or controlled by Irico during the Relevant Period.

5 **RESPONSE RE: REQUEST FOR ADMISSION NO. 6D**

6 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
7 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
8 information that is maintained by and equally available to Plaintiffs or stated in publicly available
9 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
10 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
11 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
12 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
13 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
14 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
15 provide facts and evidence of events that did not take place.

16 Subject to and without waiving its foregoing objections, Irico responds that this business
17 card was not used by an Irico employee during the course of their employment with Irico during
18 the Relevant Period. These business cards appear to have been issued by another company, China
19 National Electronics Import & Export Caihong Co. (“CNEIECC”), which was an independent
20 company that was not owned or controlled by Irico during the Relevant Period.

21 **RESPONSE RE: REQUEST FOR ADMISSION NO. 7**

22 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
23 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
24 information that is maintained by and equally available to Plaintiffs or stated in publicly available
25 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
26 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
27 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
28 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

1 Subject to and without waiving its foregoing objections, Irico responds that it has already
 2 detailed its efforts to discover the status of documents around the time that Irico received
 3 Plaintiffs' Complaint on December 25, 2007 and refers Plaintiffs to the Irico Defendants'
 4 Supplemental Responses to Indirect Purchaser Plaintiffs Third Set of Interrogatories, January 21,
 5 2022.

6 **RESPONSE RE: REQUEST FOR ADMISSION NO. 8**

7 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
 8 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
 9 information that is maintained by and equally available to Plaintiffs or stated in publicly available
 10 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
 11 or legal conclusion. Irico further objects to the use of the terms "unqualified" and "supporting"
 12 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
 13 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

14 Subject to and without waiving its foregoing objections, Irico responds that it has already
 15 detailed its efforts to discover the status of documents in mid-2008 and refers Plaintiffs to the
 16 Irico Defendants' Supplemental Responses to Indirect Purchaser Plaintiffs Third Set of
 17 Interrogatories, January 21, 2022.

18 **RESPONSE RE: REQUEST FOR ADMISSION NOS. 10-15**

19 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
 20 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
 21 information that is maintained by and equally available to Plaintiffs or stated in publicly available
 22 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
 23 or legal conclusion. Irico further objects to the use of the terms "unqualified" and "supporting"
 24 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
 25 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
 26 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
 27 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
 28 provide facts and evidence of events that did not take place.

1 Subject to and without waiving the objections stated above, Irico refers Plaintiffs to its
 2 responses to Request for Admission Nos. 10 through 15, which contain a complete basis for its
 3 response to this Interrogatory.

4 **RESPONSE RE: REQUEST FOR ADMISSION NO. 16**

5 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
 6 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
 7 information that is maintained by and equally available to Plaintiffs or stated in publicly available
 8 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
 9 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
 10 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
 11 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
 12 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
 13 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
 14 provide facts and evidence of events that did not take place.

15 Subject to and without waiving its foregoing objections, Irico refers Plaintiffs to the
 16 following evidence under FRCP 33(d): Irico Defendants’ Sixth Supplemental Objections and
 17 Responses to Direct Purchaser Plaintiffs’ First Set of Interrogatories, January 7, 2022; Irico
 18 Defendants’ Third Supplemental Objections and Responses to Indirect Purchaser Plaintiffs’ First
 19 Set of Interrogatories, January 7, 2022; Irico Defendants’ Supplemental Objections and
 20 Responses to Indirect Purchaser Plaintiffs’ Third Set of Interrogatories to Irico Group Corporation
 21 and Irico Display Devices Co., Ltd., January 21, 2022; Rule 30(b)(6) Deposition of Irico Group
 22 Corp. and Irico Display Devices Co., Ltd., March 6-8, 2019.

23 Irico identifies the following persons with knowledge regarding this Interrogatory: Wang
 24 Zhaojie and Su Xiaohua.

25 **RESPONSE RE: REQUEST FOR ADMISSION NOS. 17-26**

26 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
 27 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
 28 information that is maintained by and equally available to Plaintiffs or stated in publicly available

1 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
2 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
3 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
4 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
5 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
6 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
7 provide facts and evidence of events that did not take place.

8 Subject to and without waiving the objections stated above, Irico refers Plaintiffs to its
9 responses to Request for Admission Nos. 17 through 26, which contain a complete basis for its
10 response to this Interrogatory.

11 **RESPONSE RE: REQUEST FOR ADMISSION NOS. 27-32**

12 Irico further objects to this Interrogatory on the grounds that it is overbroad, unduly
13 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks
14 information that is maintained by and equally available to Plaintiffs or stated in publicly available
15 documents. Irico also objects to this Interrogatory on the grounds that it calls for a legal argument
16 or legal conclusion. Irico further objects to the use of the terms “unqualified” and “supporting”
17 because they are vague and ambiguous, rendering this Interrogatory overbroad, unduly
18 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Irico
19 also objects to this Interrogatory to the extent it improperly tries to shift the evidentiary burden
20 that Plaintiffs alone carry to Irico. Irico further objects to this Interrogatory as it requests Irico to
21 provide facts and evidence of events that did not take place.

22 Subject to and without waiving the objections stated above, Irico refers Plaintiffs to its
23 responses to Request for Admission Nos. 27 through 32, which contain a complete basis for its
24 response to this Interrogatory.

25
26 Dated: February 23, 2022

BAKER BOTTS L.L.P.

27
28 /s/ John M. Taladay

1 John M. Taladay (*pro hac vice*)
2 Evan J. Werbel (*pro hac vice*)
3 Thomas E. Carter (*pro hac vice*)
4 Andrew L. Lucarelli (*pro hac vice*)
5 700 K Street, N.W.
6 Washington, D.C. 20001
7 (202)-639-7700
8 (202)-639-7890 (fax)
9 Email: john.taladay@bakerbotts.com
10 evan.werbel@bakerbotts.com
11 tom.carter@bakerbotts.com
12 drew.lucarelli@bakerbotts.com

13 Jonathan Shapiro (State Bar No. 257199)
14 101 California Street, Suite 3600
15 San Francisco, California 94111
16 (415) 291-6200
17 (415) 291-6300 (fax)
18 Email: jonathan.shapiro@bakerbotts.com

19 *Attorneys for Defendants*
20 *IRICO GROUP CORP. and*
21 *IRICO DISPLAY DEVICES CO., LTD.*
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25
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